

CONSOLIDATED DEFINITIONS

1.3.12 v1
4.30.12 DRAFT V2
5.18.12 DRAFT V3

Sec. 3-21 Definitions.

For the purpose of this chapter, certain abbreviations, terms, phrases, words and their derivatives shall have the meanings as set forth in Chapter 27. Furthermore, unless otherwise specifically defined, the words and terms used in this chapter in the regulation of alcoholic beverage sales in the City of Tampa shall have the same meaning as defined by the Beverage Laws of the State of Florida, F.S. Ch. 561 et. Seq. **Strike all terms & move to Chapter 27**

Sec. 13-4 Definitions.

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

Sec. 17.5-43 Definitions.

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~ **Strike all terms & move to Chapter 27**

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

Sec. 17.5-92 Definitions. Reserved.

Sec. 17.5-202 Definitions.

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

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

Sec. 20.5-4 Definitions. ****STRIKE****

Sec. 22-5 Definitions.

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

Sec. 23-4. Definitions.

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

Readopt "Sec. 27-545. Definitions" as "Sec. 27-43. Definitions" and hereby amend by adding the underlined language and deleting the stricken language as follows:

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

For the purpose of the Land Development Code, certain abbreviations, terms, phrases, words and their derivatives shall have the meanings as described below. Furthermore, unless otherwise specifically defined, the words and terms used in this Code related to alcoholic beverages shall have the same meaning as defined by the Beverage Laws of the State of Florida, F.S. Ch. 561 et. seq. Words not defined herein shall be interpreted in accordance with Section 1-3.

Abandoned sign: Any sign which:

- (1) Through age and/or obsolescence no longer conforms to structural or maintenance specifications of this chapter; or
- (2) Any pole, pylon or structure expressly installed for the purpose of affixing a sign which bears no sign or copy for a period of three (3) consecutive months; or
- (3) Displays information which incorrectly identifies the business, owner lessor or principal activity conducted on the site; or
- (4) After February 1, 2003, and subject to any notice and curative provisions contained in this Code, any billboard sign for which a current operating permit does not exist.

Accessway: A driveway as defined in Chapter 25 of this Code and shall be included in the term "vehicle use area" as defined in this section, unless specifically and expressly excluded in the context thereof.

Acquisition: For Upland Habitat Protection purposes, acquisition shall mean the action of transferring fee simple interest in a parcel of land to a governmental or non-profit land conservation agency for the preservation in perpetuity of the land for the protection of a particular species, natural area or other environmental resource.

Activated component: That portion of a sign which causes the change in appearance of a sign through the use of flashing or alternating lights, movable parts or changing colors.

Activated sign: Any sign which contains or uses for illumination any light, lighting device or lights which change color, flash or alternate, or change appearance of said sign or any part thereof automatically, except electronic message signs, Any sign which contains moving parts as part of its normal operation, except revolving signs, shall be considered an activated sign. Additionally, a sign which depicts or contains copy which moves or appears to be moving.

Activity elements: An item, feature or use that provides a pedestrian amenity and/or encourages some type of public use. Such elements may include but are not limited to seating, performances, sidewalk cafés, food vendors, water fountains and public art.

Adaptive reuse: The reuse of any structure in, or eligible for inclusion in, the Tampa historical register for residential, office and/or neighborhood serving commercial use.

Adult uses:

- (1) *Adult bookstore:* An establishment having as a substantial or significant portion of its stock in trade books, magazines, films, newspapers, photographs, paintings, drawings or other publications or graphic media, which are distinguished or characterized by their emphasis on

matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined in this section. For purposes of this definition a "substantial or significant portion of its stock in trade" shall be deemed to occur when more than five (5) percent or five hundred (500) square feet (whichever is less) of the floor area of the establishment contains the items listed above, or when more than five (5) percent of the store's inventory in quantity or value is comprised of the items listed above.

(2) *Adult entertainment establishment*: Any premises, except those businesses otherwise defined in this chapter, on which is offered to members of the public or any person, for a consideration, entertainment featuring or in any way including specified sexual activities, as defined in this section, or entertainment featuring the displaying or depicting of specified anatomical areas, as defined in this section; "entertainment" as used in this definition shall include, but not be limited to, books, magazines, films, newspapers, photographs, paintings, drawings, sketches or other publications or graphic media, filmed or live plays, dances or other performances, either by single individuals or groups, distinguished by their display or depiction of specified anatomical areas or specified sexual activities, as defined in this section.

(3) *Adult theater*: An enclosed building or an enclosed space within a building used for presenting either filmed or live plays, dances or other performances, either by individuals or groups, distinguished or characterized by an emphasis on material depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section, for observation by patrons therein.

(4) *Special cabarets*: Any bar, dance hall, or other place of business at which food or beverages, alcoholic or nonalcoholic, are served which features nude, topless, or bottomless dancers, or any such establishment the advertising for, or sign or signs identifying which, use the words "adult," "topless," "bottomless," or "nude."

(5) *Escort services*: Any premises whereon there is provided or which in any way contributes to the providing to any member of the public or any person, for a consideration, male or female personnel for the purpose of companionship, accompaniment, consultation, entertainment or any similar purpose however designated.

(6) *Live model studio*: Any premises where there is provided for members of the public or for any person, for a consideration, live human models, whether male or female, displaying specified anatomical areas or featuring or in any way including, specified sexual activities.

Ad valorem tax exempt program: A program authorized by F.S. §§ 196.1997 and 196.1998 that allows a property tax exemption in local jurisdictions for improvements to historic properties to stimulate rehabilitation of historic structures.

Advertiser: Any person who is a lessee or owner of a sign, an agent of same or anyone who has beneficial use of a sign.

Advertising balloon: A sign constructed from nonporous material, which is filled with hot air or other lighter-than-air gases, which is designed to rise and float in the atmosphere. Included in this definition are those advertising balloons which represent the form of a person, place or thing. Aircraft which may meet this definition are not considered advertising balloons. Advertising balloons may be tethered or tied to the ground or may be designed to float freely in the atmosphere.

Affordable housing: Housing that is affordable for home buyers or renters whose gross annual income, adjusted for family size, is at or below one hundred twenty (120) percent of the annual median adjusted gross household income for the Tampa Metropolitan Statistical Area. Monthly housing costs (contract rent, mortgage payment, plus utilities payments, insurance, property taxes, and homeowner's association fees where applicable) shall not exceed thirty (30) percent of the adjusted monthly gross income of the renter or home buyer.

A-frame sign: A sign consisting of two (2) sign faces connected at the top with either hinges or fixed fastening devices.

Aggregate: When used in reference to the total allowable sign area, the total available display area of all sides or portions of a sign shall constitute the aggregate sign area.

Aggrieved person or person aggrieved: An applicant or any owner of property within two hundred fifty (250) feet of the subject parcel.

Air conditioned storage: A single or multi-level building with self contained climate control consisting of multi-tenant spaces, intended solely as dead storage, leased to individuals or businesses.

Airports and airport-related uses:

- (1) *Airports:* The use of land to accommodate the operation of aircraft and the processing of passengers and goods carried by aircraft, including but not limited to, runways, taxiways and associated ramps; aprons in aircraft parking areas; aircraft carrier terminal buildings with associated administrative offices, hotel facilities, restaurants and retail facilities; navigational, communications and meteorological equipment; heliports/helistops; field storage and transmission facilities; aircraft hangers and repair facilities; fixed based operators' facilities; air cargo facilities, aircraft service, repair and maintenance facilities; air taxi, air ambulance and airborne sightseeing services; clear zones and other buffer areas; airport administrative offices; airport maintenance facilities and associated administrative offices; and other facilities essential to the operation of airports.
- (2) *Airport-related uses:* Uses of land which are dependent upon proximity to the airport for effective performance, or which provide services to the airport which improve the effectiveness of the airport, including, but not limited to, aircraft parts manufacture, sales of new and used aircraft and aircraft parts, sales of aircraft fuels, lubricants and other aircraft supplies; airline administrative offices; automobile parking and storage; rental car parking, storage and maintenance; bus, taxi and limousine parking; in-flight kitchen and catering services; aerial photography and air-survey services; air freight and air cargo services; governmental facilities; flight training schools; flight trade schools; aviation research and testing laboratories; temporary contractors' offices and storage areas; other airport-related uses compatible with the operation of airports.

Alcoholic beverage classification: Classification issued to an establishment related to the type of alcoholic beverage sold:

(a) *Beer:*

- (1) Consumption on-premises only. Sale of malt beverages containing alcohol of more than one-half (1/2%) of one percent by volume for consumption on the premises only;
- (2) Special restaurant or restaurant (consumption on-premises only). Sale of malt beverages containing alcohol of more than one-half (1/2%) of one percent by volume for consumption on the premises only in connection with a special restaurant or restaurant having a combined gross sales of the business operation of more than fifty-one (51) percent attributable to the sale of food and non-alcoholic beverages, during any annual reporting period. Where outdoor seating is utilized, the area of such seating shall be clearly delineated by fences or other barriers, with the exception of outdoor seating located within a public sidewalk;
- (3) Package sales/off-premises consumption. Sale of malt beverages containing alcohol of more than one-half (1/2%) percent by volume in sealed containers for consumption off the premises only;
- (4) Consumption on-premises and package sales/off-premises consumption. Sale of malt beverages containing alcohol of more than one-half (1/2%) of one percent by volume

for consumption on the premises and in sealed containers for consumption off the premises;

(b) *Beer and wine:*

- (1) Consumption on-premises only. Sale of beverages containing alcohol of more than one-half (1/2%) of one percent by volume and not more than fourteen (14) percent by volume and wines regardless of alcoholic content for consumption on the premises only;
- (2) Special restaurant or restaurant (consumption on-premises only). Sale of beverages containing alcohol of more than one-half (1/2%) of one percent by volume and not more than fourteen (14) percent by volume and wines regardless of alcoholic content for consumption on the premises only in connection with a special restaurant or restaurant having a combined gross sales of the business operation of more than fifty-one (51) percent attributable to the sale of food and non-alcoholic beverages, during any annual reporting period. Where outdoor seating is utilized, the area of such seating shall be clearly delineated by fences or other barriers, with the exception of outdoor seating located within a public sidewalk;
- (3) Package sales/off-premises consumption. Sale of beverages containing alcohol of more than one-half (1/2%) of one percent by volume and not more than fourteen (14) percent by volume and wines regardless of alcoholic content in sealed containers for consumption off the premises only;
- (4) Consumption on-premises and package sales/off-premises consumption. Sale of beverages containing alcohol of more than one-half (1/2%) of one percent by volume and not more than fourteen (14) percent by volume and wines regardless of alcoholic content for consumption on the premises and in sealed containers for consumption off the premises;

(c) *Beer, wine, and liquor:*

- (1) Consumption on-premises only. Sale of beverages regardless of alcoholic content for consumption on the premises only;
- (2) Special restaurant or restaurant (consumption on-premises only). Sale of beverages regardless of alcoholic content for consumption on the premises only in connection with a special restaurant or restaurant having a combined gross sales of the business operation of more than fifty-one (51) percent attributable to the sale of food and non-alcoholic beverages, during any annual reporting period. Where outdoor seating is utilized, the area of such seating shall be clearly delineated by fences or other barriers, with the exception of outdoor seating located within a public sidewalk;
- (3) Package sales/off-premises consumption. Sale of beverages regardless of alcoholic content in sealed containers for consumption off the premises only;
- (4) Consumption on-premises and package sales/off-premises consumption. Sale of beverages regardless of alcoholic content for consumption on the premises and in sealed containers for consumption off the premises;
- (5) Non-profit private clubs (consumption on-premises only). Sale of beverages regardless of alcoholic content, for consumption on the premises only, to members and guests of members of nonprofit private clubs. For the purpose of this subparagraph, a "non-profit private club" is defined as any establishment, which restricts admissions to individuals who are members of a fraternal order, private organization or other private association, which individuals may be identified by reference to a list kept by the owner or operator of such establishment and which establishment does not in any way operate or solicit a public calling or invite general members of the public to the premises to utilize the establishment and which establishment does not operate for profit;
- (6) Public golf course (consumption on-premises only). Sale of beverages regardless of alcoholic content for sale or consumption from mobile carts and temporary bars on a

public golf course owned and/or operated by a public entity, having at least nine (9) holes and comprised of a minimum of thirty-five (35) acres of land.

Alcoholic beverage classification: Classification issued to an establishment related to the type of alcoholic beverage sold (adopted as reference for approvals granted prior to April 1, 2011):

- (1) 1-APS (Beer). Sale of malt beverages containing alcohol of more than one (1) percent by weight in sealed containers for consumption off the premises only;
- (2) 2-APS (Beer and wine). Sale of beverages containing alcohol of more than one (1) percent by weight and not more than fourteen (14) percent by weight and wines regardless of alcoholic content in sealed containers for consumption off the premises only;
- (3) 1-COP (Beer). Sale of malt beverages containing alcohol of more than one (1) percent by weight for consumption on the premises and in sealed containers for consumption off the premises;
- (4) 2-COP (Beer and wine). Sale of beverages containing alcohol of more than one (1) percent by weight and not more than fourteen (14) percent by weight and wines regardless of alcoholic content for consumption on the premises and in sealed containers for consumption off the premises;
- (5) 3-PS (Beer, wine and liquor). Sale of beverages regardless of alcoholic content in sealed containers for consumption off the premises only;
- (6) 4-COP (Beer, wine and liquor). Sale of beverages regardless of alcoholic content for consumption on the premises and in sealed containers for consumption off the premises;
- (7) 1-COP-R (Beer). Sale of malt beverages containing alcohol of more than one (1) percent by weight for consumption on the premises only in connection with a restaurant having a minimum indoor, outdoor, or combination thereof in seating capacity of not less than eleven (11) seats and a combined gross sales of the business operation is more than fifty-one (51) percent attributable to the sale of food and non-alcoholic beverages, during any semi-annual period. Where outdoor seating is utilized to satisfy the seating requirement, the area of such seating shall be clearly delineated by fences or other barriers, with the exception of outdoor seating located within a public sidewalk;
- (8) 2-COP-R (Beer and wine). Sale of beverages containing alcohol of more than one (1) percent by weight and not more than fourteen (14) percent by weight and wines regardless of alcoholic content for consumption on the premises only in connection with a restaurant having a minimum indoor, outdoor, or combination thereof in seating capacity of not less than eleven (11) seats and a combined gross sales of the business operation is more than fifty-one (51) percent attributable to the sale of food and non-alcoholic beverages, during any semi-annual period. Where outdoor seating is utilized to satisfy the seating requirement, the area of such seating shall be clearly delineated by fences or other barriers, with the exception of outdoor seating located within a public sidewalk;
- (9) 4-COP-R (Beer, wine and liquor). Sale of beverages regardless of alcoholic content for consumption on the premises only in connection with a restaurant having a combined minimum indoor, outdoor, or combination thereof in seating capacity of not less than eleven (11) seats and a combined gross sales of the business operation is more than fifty-one (51) percent attributable to the sale of food and non-alcoholic beverages, during any semi-annual period. Where outdoor seating is utilized to satisfy the seating requirement, the area of such seating shall be clearly delineated by fences or other barriers, with the exception of outdoor seating located within a public sidewalk;
- (10) 1-COP-X (Beer). Sale of malt beverages containing alcohol of more than one (1) percent by weight for consumption on the premises only;
- (11) 2-COP-X (Beer and wine). Sale of beverages containing alcohol of more than one (1) percent by weight and not more than fourteen (14) percent by weight and wines regardless of alcoholic content for consumption on the premises only;
- (12) 4-COP-X (Beer, wine and liquor). Sale of beverages regardless of alcoholic content for

- consumption on the premises only:
- (13) 11-C (Beer, wine and liquor; Non-profit private clubs). Sale of beverages regardless of alcoholic content for consumption on the premises only to members and guests of members of nonprofit private clubs. For the purpose of this subparagraph, a "non-profit private club" is defined as any establishment which restricts admissions to individuals who are members of a fraternal order, private organization or other private association, which individuals may be identified by reference to a list kept by the owner or operator of such establishment and which establishment does not in any way operate or solicit a public calling or invite general members of the public to the premises to utilize the establishment and which establishment does not operate for profit;
- (14) 4-PGC (public golf course). Beer, wine and liquor for sale or consumption from mobile carts and temporary bars on a public golf course owned and/or operated by a public entity, having at least nine (9) holes and comprised of a minimum of thirty-five (35) acres of land. The 4-PGC is not subject to the provisions of section 3-90 and section 3-70(a).

Alcoholic beverages: Distilled spirits and all beverages containing one-half of one percent or more of alcohol by volume. Volume measurements are determined by F.S. Chapter 561.

Alcoholic Beverage Sales Area ["AB Sales Area"]: the area, defined as applicable to the permit application, from which alcoholic beverages may lawfully be sold.

Alcoholic beverage sales – On premises: sale of beverages in containers for consumption on the premises only.

Alcoholic beverage sales – Package: sale of beverages in sealed containers for consumption off the premises.

Alcoholic beverage sales—Large venue: A commercial establishment with more than two hundred ninety-nine (299) person occupancy, which sells alcoholic beverages.

Alcoholic beverages sales—Small venue: A commercial establishment with less than three hundred (300) person occupancy, which sells alcoholic beverages.

Alley: A dedicated and publicly maintained right-of-way twenty (20) feet or less in width that is intended to provide only a secondary means of access to abutting property, and is not intended for general traffic circulation.

Alter: This term shall include, but not be limited to, the addition of sign surface area, the changing or relocation of light source or the relocation of an outdoor advertising display from one (1) position to another. This term shall include any and all structural changes in the sign, but shall not include the changing of copy on a sign which is designed as a changeable copy sign.

Alteration: Any construction on or change to the exterior of a building, object, structure or site when the construction or change is visible to the public and may be seen by a person located on a public street or on a street open to the public. An alteration shall include construction or changes on landmark sites and on lots within an historic district. An alteration shall include a change from an existing lawn to the use of paving materials or any change in paving materials on a landmark site or a lot within an historic district. An alteration shall include signs or commercial lighting visible through windows.

Animated component: That portion of a sign which causes movement or motion of a character, letter(s), or figure or combination thereof.

Annual bed: Any landscape where the majority of plants are replaced yearly or more frequently.

Annual capacity statement: The statement issued by the city on February 1, 1990 and on October 1, 1990, and on the same date each year thereafter indicating the available capacity for each public facility or service, with the exception of stormwater and transportation. Transportation statements shall be issued quarterly.

Annual report(ing): A period from January 1 to December 31.

Appliance repair: Any profit-making activity that renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes and businesses.

Applicant: The record owner of property or the record owner's duly designated representative or any person or entity authorized under this chapter to file an application with the city.

Arbor: A shady resting place in a garden or park, often made of rustic work or latticework on which plants, such as climbing shrubs or vines, are grown.

Arborist: An arborist certified by the International Society of Arboriculture (ISA).

A.R.C.: The architectural review commission of the city.

Architectural feature or element: A prominent or conspicuous part of the architectural design of a structure that aids in the creation of a character or style and that adds to the structure's overall aesthetic effect.

Artificial barrier: A protective, ornamental device such as a wall, fence, berm or other similar nonliving, immovable, material object that shields, separates or demarcates an area from view and that is at least eighty (80) percent opaque.

Artificial stabilization: The use of artificial products which are spread over the surface of the ground to hold and restrain the soils and any seeds during a rain event and which keep them from being eroded until they have had a chance to germinate and provide a natural stabilizing ground cover.

As-built drawings: Drawings showing applicable locations, elevations and dimensions of all infrastructures and facilities, including, but not limited to, streets, sidewalks, utilities, storm drainage facilities, etc., as they have been constructed and installed.

Auto rental: A facility used for the rental of automobiles on a short term (four (4) weeks) basis.

Automatic irrigation controller: A timer mechanism and its mounting box. The controller signals the automatic valves to open and close on a pre-set program or based on sensor readings. Control systems shall provide the following minimum capabilities: ability to be programmed in minutes, by day of week, season, and time of day; ability to accommodate multiple start times and programs; automatic shut off after adequate rainfall; ability to maintain time during power outages for a minimum of three (3) days; and operational flexibility to meet applicable year-round water conservation requirements and temporary water shortage restrictions.

Awning signs: A structure supported entirely from the exterior wall of a building and composed of nonrigid materials (except for the supporting framework) upon which a sign is indelibly drawn,

painted or printed.

Bank: Financial institution engaged in deposit banking and closely related functions such as the extension of credit by means of loans and investments, and fiduciary activities.

Bank, drive-in: A bank with one (1) or more windows or other openings in the wall of a principal or accessory structure which facilitates the provisions of banking services directly to customers in motor vehicles that eliminates the need for such customers to exit their motor vehicles for service. This term shall also include the mechanical structures and apparatus through which documents are transmitted between the bank and the customer.

Banner: Any sign intended to be hung, either with or without frames, by being tethered by at least two (2) corners and possessing characters, letters, illustrations, or ornamentations applied to paper, plastic or fabric of any kind. National flags, flags of political subdivisions or other governmental entity and symbolic flags of any institution, or other such entity shall not be considered banners for the purpose of this chapter. This term shall not include ground signs or pylon signs, regardless of whether the ground signs or pylon signs are on-site or off-site.

Bar and lounge: Commercial establishment whose principal business is the sale of alcoholic beverages for consumption on premises.

Beacon light(s): Any light source, whether fixed or activated, which is designed to attract attention to a specific location, place or thing.

Bed and breakfast: A dwelling containing no more than twelve (12) lodging units, including the resident manager's unit, which do not have independent kitchen facilities; used for transient lodgings, primarily for periods of less than one (1) week. Board may be provided.

Bench signs: A bench whose primary purpose is collateral with providing transportation service to the public upon which a sign is indelibly drawn, painted or printed.

Best Practices: Defined as the techniques, methodologies, processes, practices, and systems identified by public and private organizations that performed exceptionally well utilizing available and appropriate resources. They are widely recognized as continuously improving an organization's performance and efficiency in specific areas that, through experience and research, have proven to reliably lead to a desired result.

Billboard signs: A billboard sign is any freestanding off-site sign, including without limitation a changeable copy sign, that is erected on a parcel which identifies or advertises a use, establishment, product, activity or service not sold, produced, manufactured, located, provided or furnished on the parcel on which the sign is located (or identifies a use, product, activity or service which is only incidentally sold or available on that parcel).

Block: A piece of land entirely surrounded by streets, rights-of-way and/or natural boundaries.

Blood donor center: Any corporation, partnership or business whatsoever which engages in the activity of receiving or taking blood, plasma or any component thereof from human donors for a monetary consideration.

Bona fide agricultural use: means a parcel which qualifies as such under section F.S. § 193.461, and which has greater than fifty (50) percent of the parcel in active agricultural production.

Bonus cost ratio (multiplier for CBD periphery): Every one dollar (\$1.00) contribution to the city in the form of a bonus amenity, the developer receives ten dollars (\$10.00) in equivalent development dollars, which then translates to a bonus FAR based on the proposed improvements SF overall development costs.

Bottle club: Place of business where no alcoholic beverages are sold, but where patrons may keep or bring their alcoholic beverage for consumption on the premises. Non-alcoholic mixers or so-called "set-ups" may be provided by the club.

Broker identification strips: Strips of wood or like material or paper affixed to, around or upon a real estate sign to indicate the name of the broker advertising the sale of property.

Buildable area: The portion of a lot remaining after required yards have been provided. Buildings may be placed within the buildable area, but limitations on percentage of the lot which may be covered by buildings may require open space within the buildable area.

Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property.

Building, accessory: A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the principal building.

Building frontage: The linear length of a building facing a public street right-of-way, exclusive of alleys; or the linear length of the street right-of-way which faces the building, whichever is smaller.

Building official: The officer or other designated authority, or their duly authorized representative, charged with the administration and enforcement of the Florida Building Code.

Building permit (for purposes of this chapter): A permit which authorizes the construction of a new building or the expansion of floor area or the increase in the number of dwelling units contained in an existing building or a change of use.

Building, principal: A building or, where the context so indicates, a group of buildings, in which is conducted the principal use of the lot on which such building is located.

Building sign: A sign displayed upon or attached to any part of the exterior of a building. Included within this definition are wall signs.

Building system: A functionally related group of elements, components and/or equipment, such as the electrical, plumbing and mechanical systems of a building.

Bulletin board: Any sign which is composed of a flat, continuous and uninterrupted surface which measures less than seventy-five (75) square feet and upon which advertising or other matter may be displayed. Bulletin boards may also be changeable copy signs.

Business school: An establishment offering to the public, for a consideration, instruction in administration, accounting, bookkeeping, computer use, typewriting and other skills for use in commerce or service activities.

Cable service: The transmission of video, audio, or other programming service to purchasers, and the purchaser interaction, if any, required for the selection or use of any such programming service, regardless of whether the programming is transmitted over facilities owned or operated by the

cable service provider or over facilities owned or operated by one (1) or more other providers of communications services. The term includes point-to-point or point-to-multipoint distribution services by which programming is transmitted or broadcast by microwave or other equipment directly to the purchaser's premises, but does not include direct-to-home satellite service. The term includes basic, extended, premium, pay-per-view, digital, and music services.

Camouflaged structures: Structures designed primarily to support commercial antennas but also designed to be integrated into the natural or built environment. Camouflaged structures can resemble a natural or man made structure through the use of less obtrusive antenna arrays, shape, color and texture to cause an object to appear to become a part of something else in order to be compatible with the architectural elements of the surrounding properties, including bulk, massing and scale. Camouflage does not mean "invisible."

Canopy sign: A roof-like cover, attached or unattached, extending from the exterior wall of a building and composed of supporting framework of rigid materials upon which a sign is indelibly drawn, painted or printed.

Capital improvements element: That element of the Tampa Comprehensive Plan which evaluates the need for public facilities as identified in the other comprehensive plan elements and as defined in the applicable definitions for each type of public facility, which estimates the cost of improvements for which the local government has fiscal responsibility, which analyzes the fiscal capability of the local government to finance and construct improvements, which adopts financial policies to guide the funding or improvements, and which schedules the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required based on needs identified in the other comprehensive plan elements.

Capture rate: That percentage of the total parking demand for the specified use which is internally generated from other uses already generating a demand within the central business district.

Cargo storage area: Any outdoor area which is used for bulk, neobulk or general cargo storage and requires free movement for loading, unloading, storage and staging in connection with the pickup and delivery of general cargo, neobulk and bulk material to and from a port.

Catering shop: An establishment whose principal use is the preparation and provision of food served to the customer at a location off the premises. A catering shop may be accessory to a restaurant.

CDD: A community development district as provided in Chapter 190, Florida Statutes.

Cemetery: Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries, if operated in connection with and within the boundaries of such cemetery.

Certificate of appropriateness: The permit issued by the Barrio Latino Commission or the architectural review commission which gives its approval for work to be done on a landmark, a landmark site or within a historic district. The certificate may contain conditions relating to the proposed work, and the applicant will still need permits from other municipal departments before starting his work. A certificate of appropriateness must be issued prior to the issuance of a building permit by the department of business and community services.

Certificate of concurrency: The official document issued by the city upon finding that an application for a final development permit will not result in the reduction of the level of service standards set forth in the Tampa Comprehensive Plan for public facilities and services.

Certificate of occupancy (C.O.): An official document evidencing that a building satisfies the city requirements for occupancy of a building.

Certified local government: A government meeting the requirements of the National Historic Preservation Act, amendments of 1980 (P.L. 96-515), and the implementing regulations of the United States Department of the Interior and the state.

CGO: The city's green officer.

Change of occupancy: A change from one Standard Building Code occupancy class to another.

Changeable copy sign: Any framed sign, illuminated or not, which is principally devoted to, and designed for change or replacement of sign face or lettering or graphics. This definition shall not include electronic message signs.

Change of use: ~~A~~ modification to the use (most intense, legally established use in the public record) of a structure or property to accommodate a more intensive use, which adds floor area, increases density or intensity, or increases occupancy loads, and requires more total parking spaces than the previous use of the property or structure, as determined by the parking table applicable to the underlying zoning district, as set forth in this Code. Such changes will be subject to concurrency review for the net increase only.

- (1) A shopping center of three (3) or more business suites which was designed and permitted for a variety of uses may consider office, retail and personal services as interchangeable. All other changes which require an increase in parking as determined by Table 10-1 of section 27-242 will be reviewed for concurrency.
- (2) An office building which is zoned PD is subject to the ancillary uses identified on the approved PD site plan. An office building which is not zoned PD is limited to the ancillary uses identified in the approved building plans or permits. Other changes in use which require an increase in parking as determined by Table 10-1 of section 27-242 will be reviewed for concurrency.

Character district: One (1) of the twelve (12) districts in the central business district established to guide development to a desired character and more particularly defined and described in the CBD land use policy plan.

Cigar factory: A commercial enterprise involved in the manufacturing, processing, distribution and warehousing of cigar products.

Circumference: The distance around the periphery of a tree at four and one-half (4½) feet above existing grade.

Clearing: The removal of trees, shrubs and other vegetation from the existing ground surface. Clearing is usually undertaken where subsequent land alteration, construction or agricultural activities are to occur.

Clinic: An establishment used for medical or dental care which is comprised of a variety of medical specialties and which has equipment on site to diagnose and administer treatment on an outpatient basis.

Club: An establishment operated by a corporation or association of persons for social, literary, political, educational, fraternal or charitable purposes, but which is not operated for profit or to

render a service which is customarily conducted as a business.

Clubhouse (alcoholic beverage): Establishment where alcoholic beverages of any type may be brought and served, but not sold, stored, kept, or maintained on the premises overnight.

College: A degree-granting establishment providing formal academic education and generally requiring for admission at least a high school diploma or equivalent academic training, including colleges, community colleges, universities, technical institutes, seminaries and professional schools (architectural, dental, engineering, law, medical, etc.).

Commemorative decoration: An ornate embellishment placed to honor a certain event, person or place.

Commercial building: Any building, structure or improvement other than a single-or two-family dwelling.

Commercial communication tower: A ground mounted structure, which is greater than twenty (20) feet in height, intended to support devices used for the transmitting or receiving of television, radio, or wireless telephone communications (excluding those used exclusively for dispatch communication, ham radio, and satellite dishes).

Commercial district: A commercial district is any property which is zoned CN, CG, CI, YC-1, YC-3, YC-5, YC-6, YC-7, YC-9 (approved primarily for commercial uses), M-AP-1, M-AP-2, M-AP-3, M-AP-4, CD-1, CD-2, CD-3, PD and PD-A (approved primarily for commercial uses), SH-CN, SH-CG, SH-CI, SH-PD (approved primarily for commercial uses), U-C and any other site plan controlled districts approved primarily for any of the aforementioned districts.

Commercial equipment: Vehicles, machinery, materials or furnishings owned, used, or designed and/or intended for commercial purposes, except that a personal vehicle (car, one-ton pickup truck or van) used by an individual for transportation to and from home and job sites will not be considered commercial equipment, regardless of any commercial names, insignias or markings advertised on the vehicle.

Commercial nursery: An ongoing business licensed for the planting, growing and sale of plants and trees. A commercial nursery does not include an ongoing silviculture operation.

Communications facility: The plant, equipment and property, including but not limited to, any and all such conduits, cables, poles, wires, supports, ducts, fiber optics, antenna and other structures, equipment, appurtenances and pathways as may be reasonably necessary to be used to provide communications services.

Communications services: The transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals, including cable services, to a point, or between or among points, by or through any electronic, radio, satellite, cable, optical, microwave, or other medium or method now in existence or hereafter devised, regardless of the protocol used for such transmission or conveyance. The term does not include:

- (1) Information services.
- (2) Installation or maintenance of wiring or equipment on a customer's premises.
- (3) The sale or rental of tangible personal property.
- (4) The sale of advertising, including, but not limited to, directory advertising.
- (5) Bad check charges.
- (6) Late payment charges.

(7) Billing and collection services.

(8) Internet access service, electronic mail service, electronic bulletin board service, or similar on-line computer services.

Community Garden, private: ~~A~~an area of land managed and maintained by a group or a group of individuals to grow and harvest crops (food or non-food) for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals, or may be farmed collectively by members of a group, and may include common areas maintained and used by group members.

Comprehensive plan: The Tampa Comprehensive Plan adopted by Ordinance No. 89-167 on July 17, 1989 by the city council pursuant to F.S. Ch. 163, Part II, as such plan may be amended from time to time.

Concurrency management system (CMS): The procedures and processes utilized by the city to determine that development permits and development orders, when issued, will not result in the reduction of the level of service standards as set forth in the Tampa Comprehensive Plan.

Congregate living facility: Any building, residence, boardinghouse or other place, whether operated for profit or not, which provides personal care services to persons not related to the owner or operator by blood, marriage or adoption and licensed, certified or approved by the state department of health and rehabilitative services. Congregate facilities of six (6) or fewer residents, licensed by the state department of health and rehabilitative services as a type of community residential home, are permitted in single-family and multi-family zoning districts, provided that no other congregare living facility is within a radius of one thousand (1,000) feet. "Personal care services," for the purpose of this definition, means services in addition to housing and food service which include, but are not limited to, personal assistance with bathing, dressing, ambulation, supervision of self-administered medication, transportation, emotional security and any other related service. Personal care service does not include nursing or medical treatment. Such facilities shall contain congregare kitchen, dining and living areas only, with separate sleeping rooms. Further, such facilities shall not be used for those persons in need of a structured environment as it is defined herein. Congregate living facilities are further defined by the following types:

- (1) *Group care facility, large.* A facility providing room, board and personal care services to twenty (20) or more persons unrelated to the caregiver. For the purposes of this chapter, large group care facility shall not be deemed to include rooming or boarding homes, fraternities, sororities, clubs, monasteries or convents, hotels, motels, emergency shelters, professional residential facilities, recovery homes or nursing homes.
- (2) *Group care facility, small.* A home or facility providing room, board and personal care services to seven (7) and not more than nineteen (19) persons unrelated to the caregiver. For the purpose of this chapter, small group care facility shall not be deemed to include rooming or boarding homes, fraternities, sororities, clubs, monasteries or convents, hotels, motels, emergency shelters, professional residential facilities, recovery homes or nursing homes.

Conservation areas: See "Environmentally sensitive areas."

Construction cost per space: Shall be assessed by the department of public works and approved by resolution of the city council.

Construction costs: The total value of the construction or renovation of a structure as determined by the building department in issuing a building permit for such construction or renovation. Construction cost calculations include architectural and engineering fees, site work and

contingency allowance. Land acquisition is not included. All construction costs shall be calculated as of the date the contract is executed.

Construction sign: Any sign giving the names of principal contractors, architects and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.

Container (refuse): The common thirty-two (32) through ninety-five (95) gallon plastic or galvanized iron garbage can with well-fitted lid, a plastic bag of similar capacity, a molded polyethylene barrel, or a City of Tampa issued cart available in various capacities and used to store solid waste generated at residences and small businesses.

Contributed tree: A recommended tree that is contributed to the department tree bank in accordance with section 13-164 to replace a protected tree that is dug up, irreversibly damaged or destroyed.

Contributing: A building, site, structure, or object that adds to the historic architectural qualities, historic associations or archaeological values for which a property is significant.

Copy: The letters, colors, text or other graphics displayed upon the sign surface area.

Correctional facility: A facility for the housing of persons convicted of, or being held for, a crime, including:

1. *Major facility:* A prison facility regulated by the State of Florida Department of Corrections designed for maximum security to house persons convicted of a crime.
2. *Community facility:* A facility designed to house persons convicted of a crime, or for the custody of persons arrested for a crime and awaiting adjudication. Such facilities shall include community correctional centers, probation and restitution center vocational training centers and forestry camps (all as defined by the State of Florida Department of Corrections), or local government jails or detention centers.

CPTED: Crime prevention through environmental design; accomplished through design and effective use of built environment, which can lead to a reduction in the incident and fear of crime.

Crematorium: An establishment for the burning of human remains.

Crosswalk: A right-of-way within a block dedicated to public use, intended primarily for pedestrian use and which is designed to provide access to adjacent roads, lots or public use areas.

Cul-de-sac: A street having one (1) end open to traffic and the other end terminated with a paved turnaround.

Cypress swamp: Forested plant community dominated by cypress trees, with water at or above the ground level during the rainy season or for a considerable portion of the year. Associated trees and shrubs include swamp black gum, red maple, sweet bay, buttonbush, fetterbush, and dahoon holly.

Damage or abuse: Any action or inaction which does not follow good arboricultural practices as established by the National Arborist Association. Abuse also includes damage inflicted upon roots by machinery, changing the natural grade above the root system or around the trunk, destruction of the natural shape or any action which causes infection, infestation or decay.

Day care and nursery facility: A use of land and buildings that provides care to children or adults

away from their homes, and by persons other than family members, guardians or custodians, and where a payment, fee or grant is made for such care; where the designation "numbers limited" is used, the maximum number of clients shall not exceed five (5).

Demolish: To tear down or raze.

Demolition: The complete or partial removal, destruction or wrecking of a building, site, structure, or object. An omission or series of omissions can constitute a demolition when the failure to take such repair and maintenance actions compromise the historical integrity of the building, site, structure or object or its architectural or historical components.

PDD (Department): The Planning and Development Department (PDD).

DPW (Department): The Department of Public Works (DPW).

Developer: A person, property owner, partnership, corporation or any legal entity who seeks to conduct land alteration, site clearing, filling, or construction of any type on a parcel of land develop the property described in the a land use decision and/or any permit application.

Development: The carrying out of any building activity or the making of any material change to any structure or the natural surface of the land. For the purposes of this chapter, development shall include the following activities or uses:

- (1) A reconstruction or alteration of the size of a structure;
- (2) A change in the intensity of use of land such as an increase in the number of dwelling units in a structure or a material increase in the number of businesses, manufacturing establishments, offices or dwelling units in a structure;
- (3) Commencement of drilling, except to obtain soil samples, mining or excavation on a parcel of land; and
- (4) Activities that change or disturb the natural surface of the land such as clearing, grading, excavating and filling.

Development order: Any order granting or denying or granting with conditions an application for a building permit, zoning permit, rezoning, plat, variance, site plan approval, development of regional impact or other action having the effect of permitting development as defined in this chapter.

Development review and compliance staff (DRC): The DRC shall be composed of members from various city departments, including the commercial plans examiners, and other agencies as needed.

Diameter breast height (d.b.h.): The diameter, in inches, of a tree trunk measured at four and one-half (4½) feet above existing grade. D.b.h. is also referred to as the diameter of a tree.

Directional signs: Any sign which is used principally for the purpose of indicating the direction or location of any object, place or area including, but not limited to, those signs which indicate the avenues of ingress and egress from a particular premise.

Directory sign: A sign having two (2) display surfaces, not necessarily displaying the same copy, which are parallel and back-to-back and not more than forty-eight (48) inches apart.

DPW Director: The Director of the Department of Public Works or designee who shall be responsible for the management of the affairs of such department.

Dripline: An imaginary perpendicular line that extends downward from the outermost branches of a tree to the ground.

Drive-in window: A window or other opening in the wall of a principal and accessory building through which goods or services are provided directly to customers in motor vehicles by means that eliminate the need for such customers to exit their motor vehicles.

Drought tolerant plant: A plant, once established, that survives on natural rainfall with occasional irrigation during dry periods, as identified by the University of Florida IFAS Extension Florida Yards and Neighborhoods Florida-Friendly Plant List 2006, as may subsequently be revised.

Dry-cleaning plant, large: A facility of greater than three thousand (3,000) square feet which includes the on-site process of chemically cleaning fabrics and may also include laundry or dyeing services.

Dry-cleaning plant, small: A facility of three thousand (3,000) square feet or smaller which includes the on-site process of chemically cleaning fabrics and may also include laundry or dyeing services.

Dry prairie: Dry prairies are plains with few or no trees. Scattered bayheads, cypress ponds, freshwater marshes and wet prairies often occur in dry prairie areas. Dry prairie appear to be flatwoods minus the overstory trees, containing similar vegetative ground cover. The dry prairie community is dominated by many species of grasses such as wiregrass, broomsedges and several types of carpet grasses. Palmettos are the most common shrubby plant over large areas, with fetterbush, staggerbush, and blueberry common in places. Also, like pine flatwoods, water is at or near the surface during the wet season and slowly drains to lower lying areas by sheet flow. Representative soils: Eaton, Immokalee, Myakka, Smyrna, and Ona.

Dwelling, efficiency: A dwelling unit attached to other dwelling units and consisting of combined living and sleeping quarters within one (1) habitable room and separate kitchen facility and sanitary facilities.

Dwelling, multi-family: A structure containing three (3) or more attached dwelling units either stacked vertically above one another or attached by side and rear walls or both.

Dwelling, multi-family high-rise: A structure over eight (8) stories containing multi-family residential units.

Dwelling, multi-family mid-rise: A three (3) to eight (8) story structure containing multi-family residential units.

Dwelling, multi-family townhouse-style: A structure, constructed in a series or group of three (3) or more attached units with property lines separating each unit, attached by side and rear walls.

Dwelling, single-family: Where used in this Code, it shall mean single-family attached, single-family detached and single-family semidetached.

Dwelling, single-family attached: A structure containing not less than three (3) or more than eight (8) dwelling units with both side walls (except end units of building) attached from the ground to roof. No continuous group of dwellings shall exceed two hundred (200) feet in frontage width.

Dwelling, single-family detached: A structure containing one (1) dwelling unit with open space on all sides.

Dwelling, single-family semidetached: A structure containing two (2) dwelling units attached by a common side or rear wall.

Dwelling, two-family: A structure containing two (2) dwelling units one (1) above the other with open space on all sides.

Dwelling unit: A room or group of rooms forming a single independent habitable unit used for or intended to be used for living, sleeping, sanitation, cooking and eating purposes by one (1) family only; for owner occupancy or for rental, lease or other occupancy on a weekly or longer basis; and containing independent kitchen, sanitary and sleeping facilities.

Easement: Any strip or portion of land created by a developer for public or private utilities, drainage, sanitation or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

Economic hardship: The imposition of an inordinate financial burden on a property, or its owner, due to the denial of a demolition permit or the designation of that property as a landmark or landmark site. Inordinate burden shall mean that the property owner is permanently unable to attain the reasonable, investment backed expectation of the existing use of the real property or a vested right to a specific use of the real property with respect to the real property as a whole or that the property owner is left with existing or vested uses that are unreasonable such that the property owner bears permanently a disproportionate share of a burden imposed for the good of the public, which in fairness should be borne by the public at large. The term "existing use" means an actual, present use or activity on the real property (including normal periods of inactivity), or such reasonably foreseeable, non-speculative land uses which are suitable for the subject real property and compatible with adjacent land uses and which have created an existing fair market value in property greater than the fair market value of the actual present use or activity. For purposes of this definition, a designation under section 27-231.3 shall be deemed permanent.

Electronic message sign: A sign emitting an illuminated message, image or design created electronically by any light source, LED (light emitting diodes), bare electric bulbs, luminous tubes, fiber optics, or any other combination of light sources creating a message. This definition shall include time, temperature and date signs. An electronic message sign which has copy which moves continuously or appears to be moving, flashing, changes color, pulses or alternates shall be considered an activated sign.

Emergency shelter facility: A facility providing temporary residential housing, rooming-or dormitory-style (with or without board), for persons otherwise homeless or seeking shelter from abuse.

Emitter: A device which is used to control the discharge of irrigation water from lateral pipes. This term is primarily used to refer to the low flow rate devices used in low-volume irrigation devices.

Employee or employees: A person who works for financial or other form of compensation, including but not limited to, the owner or owners of the establishment.

Endangered and threatened species: Flora and fauna as identified by the U.S. Fish and Wildlife Service's "List of Endangered and Threatened Wildlife and Plants" in 50 CFR 17.11-12. Fauna identified by the Florida Game and Fresh Water Fish Commission in Section 9-27.03-05, FAC, and flora identified by the Department of Agriculture and Consumer Services "Preservation of Native Flora Act," Section 581.185-187, Florida Statutes. Endangered species are so designated due to manmade or natural factors which have placed them in imminent danger of extinction, while threatened

species are so designated due to rapid decline in number of habitat such that they are likely to become endangered without corrective action.

Engineer: A professional engineer registered in the state.

Environmentally sensitive areas: Lands that, by virtue of some qualifying environmental characteristic (e.g., wildlife habitat), are regulated by either the Florida Department of Environmental Protection, the Southwest Florida Water Management District, or any other governmental agency empowered by law for such regulation. Environmentally sensitive areas include Conservation Areas and Preservation Areas. Conservation Areas include the following types of wetlands(w), natural water bodies(nwb), and uplands(u); freshwater marshes(w), wet prairies(w), hardwood swamps(w), cypress swamps(w), natural shorelines other than natural beaches and dunes(w), Class III Waters(w, nwb), and significant wildlife (w, nwb, u). Preservation Areas include the following types of wetlands, natural water bodies and uplands; coastal marshes(w), mangrove swamps(w), marine grassbeds(w, nwb), natural beaches and dunes(w, u), Class I and II Waters(w, nwb), aquatic preserves(w, nwb), essential wildlife habitat(w, nwb, u), and natural preserves(w, nwb, u).

Erect: Erect shall mean to build, construct, attach, hang, place, suspend or affix and shall also include the painting of wall signs. This term shall not apply to copy changes on existing permitted signs.

Essential wildlife habitat: Land or water bodies that, through the provision of breeding or feeding habitat, are necessary to the survival of endangered or threatened plant and animal species, or species of special concern, as determined by the Florida Game and Freshwater Fish Commission or the U.S. Fish and Wildlife Service.

Establishment: An establishment is any commercial, industrial, institutional, educational, office, social, business or financial entity.

Excavation: The action or process of creating a depression or hole in the ground by removing the soil in excess of two (2) feet in depth.

Exempt signs: All signs for which permits are not required but which must, nonetheless, conform to the other terms and conditions of this chapter.

Explosive storage and manufacturing: The bulk storage, distribution and/or manufacturing of explosives and fireworks.

Extended family residence: Within a single family residence, a living area designed to provide independence and privacy by allowing a separate bedroom, bathroom, dining area, and kitchen for an extended family member.

Exterior: The outside surface of any building, improvement, object or structure.

Exterior lighting: Illumination emanating from any source or fixture on the exterior of a building, including walkways, marquees, and hallways exposed toward the property line.

Family: Any number of people related by blood, marriage, legal guardianship, or adoption or not more than four (4) unrelated persons living together as a single housekeeping unit, using a single facility in a dwelling unit for culinary purposes. The term "family" shall not be construed to include a fraternity or sorority, club, roominghouse, institutional group or the like.

Fence or wall: A partition, greater than twelve(12) inches above grade, erected for the purpose of enclosing a piece of land or to divide a piece of land into distinct portions.

FGBC: The Florida Green Building Coalition.

Final development permit: Any building permit issued or commercial site plan approved pursuant to Chapter 5 of this Code, any construction drawing or final plat approved pursuant to Chapter 23 of this Code, or any development order or an approved Florida Quality Development or amendment thereto issued pursuant to F.S. § 380.06 et seq.

Final local development order (for the purposes of vesting, means the following):

- (1) A commercial site plan approved pursuant to Chapter 5 of this Code on or before January 31, 1990;
- (2) A development of regional impact development order or an approved Florida Quality Development or amendment thereto, issued pursuant to F.S. Ch. 380, which is approved by the city on or before January 31, 1990;
- (3) A building permit issued pursuant to Chapter 5 of this Code on or before January 31, 1990;
and
- (4) Construction drawings approved pursuant to Chapter 23 of this Code on or before January 31, 1990 and a final plat approved pursuant to Chapter 23 of this Code on or before January 31, 1990 may be considered final local development orders if, pursuant to section 17.5-47(b) of this article, the city attorney determines that vested rights are deemed to exist.

Floor area: The sum of enclosed areas on all floors of a building measured from the outside faces of the exterior walls, including halls, lobbies, arcades, stairways, elevator shafts, enclosed porches and balconies and any below grade floor areas used for access and storage. Not countable as floor area are open terraces, patios, atriums, balconies, breezeways and parking.

Floor area ratio, basic: The ratio of permitted floor area to the area of the lot.

Floor area ratio, maximum permitted: The floor area ratio permitted as of right in the several districts, excluding any bonus or transferred floor area.

Florida friendly yard or landscape (as provided for in F.S. § 373.185): A landscape that incorporates the Best Management Practices and philosophies described in "A Guide to Florida-Friendly Landscaping", Third Edition, 2006, as may subsequently be amended, and conserves water and protects the environment and are adaptable to local conditions and which are drought tolerant. Florida-friendly landscape principles include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance."

Foot candle: A measurement of light cast on a surface one (1) square foot in area on which one (1) unit of light is uniformly distributed.

Franklin Street Mall: The area of Franklin Street lying between Cass Street to the north and Jackson Street to the south.

Franklin Street Mall Phase II District: The area of Franklin Street lying between Fortune Street to the north and Cass Street to the south, and that area of Franklin Street lying between Whiting Street to the north and Garrison Channel to the south; and the area of Fortune Street, Cass Street, Jackson Street and Whiting Street lying between Morgan Street to the east and Tampa Street to the west; and the area of Royal Street, Harrison Street, Tyler Street, Polk Street, Zack Street, Twiggs Street,

Madison Street, Kennedy Boulevard and Brorein Street lying between Franklin Street to the east and Tampa Street to the west; and the area of Royal Street lying between Florida Avenue to the east and Franklin Street to the west; and the area of Harrison Street, Tyler Street, Polk Street, Zack Street, Twiggs Street, Madison Street, Kennedy Boulevard, Cumberland Street, Brorein Street, Platt Street and Ashley Drive lying between Morgan Street to the east and Franklin Street to the west; and the area of Washington Street and Ella Mae Street lying between Morgan Street to the east and Florida Avenue to the west.

Franklin Street personal service use or personal service use: An establishment that primarily provides services such as barbershops, beauty salons, seamstress shops, shoe repair shops, dry cleaning, banks and financial service institutions.

Franklin Street retail district: An area within the central business district of the city as more particularly described in the CBD land use policy plan. Specifically, it is described as the first floor of buildings and areas along and facing Franklin Street bounded by Tyler Street on the north and Whiting Street on the south.

Franklin Street retail use or retail uses: Establishments that serve both the day-to-day commercial needs of a community as well as the more durable and permanent needs of a whole community including: Drugstores, tobacco shops, newsstands, bakeries, confectioneries, delicatessens, eating and drinking establishments, entertainment establishments (theaters), department stores, discount stores, variety stores, apparel and footwear stores, florists, gift shops, jewelry stores, book and stationery stores, specialty shops, sporting goods stores, furniture and home furnishing stores, appliance stores and establishments that cater to specific markets, such as tourists, ethnic groups, collectors, etc.

Fraternity or sorority: A dwelling or combination of dwellings on a single lot occupied by and maintained exclusively for college, university or professional school students who are affiliated with a social, honorary or professional organization recognized by the college, university or professional school. Such establishments provide social and leisure facilities primarily for student members (with visits by alumni and guests) and may provide lodging and/or meals.

Freestanding sign: Those signs that are supported by structures or supports in or upon the ground and independent of the support of any building. Included within this definition are pole signs, pylon signs, ground signs and monument signs.

Freshwater marsh: Herbaceous plant community occurring on lands where the soil is saturated or submerged during part of the year. Freshwater marshes include a number of vegetative types such as flag marshes (dominated by pickerelweed, arrowhead and other non-grass herbs), sawgrass marshes, bulrush marshes and shrub marshes.

Front building facade: The most significant or prominent surface (principal face) of a building, which contains architectural features or elements and the primary entrance to the building.

Funeral parlor: An establishment engaged in preparing human remains for burial and conducting funerals and cremating human remains.

Funeral parlor: An establishment engaged in preparing human remains for burial and conducting funerals and cremating human remains.

General merchandise sign: A sign which contains copy or a logo of general merchandise sold on the premises.

GFA: Gross floor area (see "floor area").

Government sign: Any sign erected by or on the order of a public official in the performance of his office or duty including, but not limited to, traffic-control signs, street name signs, warning and directional signs, historical markers, official commemorative signs, public notices, signs identifying governmental or public facilities or signs of similar nature.

Grading: Leveling or planing land to a smooth horizontal or sloping land surface by the use of mechanical leveling or grading equipment or, in the case of stockpiled soil, other mechanical equipment.

Grand tree: A tree and its root system of the species listed in Schedule A located in section 13-6 whose circumference, height and crown measurements are of the size and character to total the minimum points for the species as outlined in Schedule A.

Green building: Any building which increases the efficiency with which it uses resources, such as energy, water, and materials, while reducing a buildings negative impact on human health and the environment, through better siting, design, construction, operation, maintenance, and removal, completing building life cycle.

Greenhouse: A building made of glass, plastic, or fiberglass in which plants are cultivated

Green space: The entire parcel less the building footprint, driveways, vehicular use areas, hardscapes such as decks, swimming pools, decorative fountains, patios and other non-porous areas. Stormwater management system, wetland conservation areas, lakes, rivers, and creeks are excluded in the calculation of green space area.

Gross land area: All area within the boundaries of a zoning lot or PD district.

Ground cover: Any ornamental plant or grass which grows along the ground.

Ground level: Ground level shall mean the finished grade at the base of a sign structure.

Ground sign: Those signs that are supported by structures or supports in or upon the ground and independent of support any building(s) and which have a sign face the base of which is constructed within eight (8) feet from ground level. A sign, other than a portable sign as defined herein, with eight (8) feet or more ground clearance when measured from the grade at the base of the sign to the bottom of the sign face, shall be considered a pylon sign.

Grubbing: The removal of understory vegetation including the removal of any tree with a DBH less than five (5) inches by the use of mechanical equipment, provided no understory vegetation is removed within the dripline of any tree with a DBH of five (5) inches or greater or within an environmentally sensitive area. In the case of the natural plant community vegetation outside of environmentally sensitive areas, grubbing is the removal of understory vegetation necessary to provide limited access to the parcel.

Guyed tower: Guyed tower means a vertical support structure which consists of metal crossed strips or bars, and is steadied by wire guys around the tower.

Hardwood swamp: Deciduous and evergreen hardwood forest community occurring on lands where the soil is saturated or submerged during part of the year. This major habitat category includes riverine swamps, and usually but not always includes floodplain forests, bay forests and red

maple forests.

Hazardous materials: The manufacturing, storage or distribution of explosive, hazardous, toxic chemical and extreme high or low Ph solution, including the storage of fire works and similar items.

Hedge: A close planting of shrubs which forms a compact, dense, living barrier which protects, shields, separates or demarcates an area from view and which is eighty (80) percent opaque within twelve (12) months after planting.

Height: The vertical distance between the mean elevation of the proposed finished grade at the structure front, not including strictly aesthetic landscape berms to the highest point of the structure. Finished grade shall be determined by utilizing all applicable regulations of the city, county, state and federal government.

Height, sign: The vertical distance measured from ground level to the highest point of any sign.

Heliport: An area, either at ground level or elevated on a structure, licensed or approved for the loading, landing, and takeoff of helicopters, and including auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

Helistop: A heliport, but without auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

Herman C. Massey Park: The area described in Ordinance No. 9124-A.

Historic conservation overlay district: A special overlay district which recognizes and protects historic patterns of development including but not limited to the following physical elements: setback, height, site orientations and massing of buildings and accessory structures, placement of sidewalks, parking areas and infrastructure. Its purpose is to conserve existing neighborhood patterns of development by retaining historic structures that contribute to that pattern, while assuring that new construction will be consistent with it. The historic pattern for each conservation district designated may vary from district to district and shall be delineated.

Historic district: A significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development that has been designated by the city as set forth in section 27-231.3 herein and meets the designation criteria set forth in section 27-231.4 herein. The Ybor City Historic District, as established by state law and as amended from time to time by local ordinance, is also an historic district.

Historic property: A building, site, structure, or object that was constructed or achieved its significance over fifty (50) years earlier, even if additional structures were added within the past fifty (50) years, so long as the added structures were consistent with and contributed to the overall historic character of the building, site, structure, or object.

Historic sign: A sign that contributes to the character-defining elements of the structure's period of historical significance, which can be documented to have existed through the use of historical, pictorial, or other physical evidence as determined by the Architectural Review Commission or the Barrio Latino Commission.

Holiday decoration: An ornate embellishment placed specifically for the purpose of celebrating a specific holiday, holiday event or holiday season.

Home occupation: An occupation conducted as an accessory use in a dwelling unit, employing only members of the resident facility, in a manner clearly incidental and accessory to the residential use. See Article VI for additional conditions.

Hoophouse: A structure made of PVC piping or other material covered with translucent plastic, constructed in a "half-round" or "hoop" shape

Hospital: An institution providing physical and mental health services primarily for human inpatient medical or surgical care for the sick or injured, including related facilities such as laboratories, outpatient services, training facilities, central service facilities and staff offices.

Hotel or motel: A building or group of buildings containing in combination ten (10) or more lodging units intended primarily for rental or lease to transients, by the day or week, as distinguished from a roominghouse, in which occupancy is generally by residents rather than transients. Typically, accessory uses to a hotel or motel include such things as restaurant, bar/lounge, meeting rooms and outdoor recreational areas.

HPC: The City of Tampa Historic Preservation Commission.

Identification sign: A sign which depicts the name and or address of a building or establishment on the parcel where the sign is located as a means of identifying said building or establishment.

IESNA: Illuminating Engineering Society of North America.

Illegal sign: An unpermitted sign which was not lawfully erected or a permitted sign not constructed in accordance with the representations set forth in the permit documents or a sign constructed in violation of city codes.

Illuminated sign: An illuminated sign is one which either:

- (1) Provides artificial light through exposed bulbs, lamps or luminous tubes on the sign surface;
- (2) Emits light through transparent or translucent material from a source within the sign; or
- (3) Reflects light from a source intentionally directed upon it.

Improvements: Improvements required by the land development code, including but not limited to, street pavements, curbs and gutters, streetlights, sidewalks, walkway pavements, water mains, sanitary sewers, storm sewers or drains, street signs and traffic-control signs. Improvements may be found on-site or off-site and may be either public or private.

Industrial district: An industrial district is any property which is zoned IG, IH, or PD or PD-A (approved primarily for industrial uses.)

Infill development: Development on scattered vacant sites within the urbanized area of a community.

Information service: The offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, using, or making available information via communications services, including, but not limited to, electronic publishing, web-hosting service, and end-user 900 number service. The term does not include any video, audio, or other programming service that uses point-to-point or point-to-multipoint distribution by which programming is delivered, transmitted, or broadcast by any means, including any interaction that may be necessary for selecting and using the service, regardless of whether the programming is delivered, transmitted, or broadcast over facilities owned or operated by the seller or another, or whether denominated as cable service or as

basic, extended, premium, pay-per-view, digital, music, or two-way cable service.

Infrastructure: Roads, water, sewer, stormwater or drainage facilities and utilities designed to accommodate development.

In-lieu factor: One (1) minus the capture rate, as approved by resolution of the city council.

In-lieu payment: The payment by the developer for each in-lieu parking space credit required to meet this Code.

Institutional uses: A category of uses that includes places of religious assembly, public facilities, and elementary, secondary, and post-secondary educational facilities.

Interim parking lot: The principal use of property for the parking of vehicles for a period of no more than five (5) years [plus a possible one (1) year extension], after which development of the property shall change to a permanent use status and require compliance with the standards of a principal use parking lot.

Interior sign: A sign which is located in the interior of a structure. Additionally, a sign which is located outside a structure but, because of the sign's placement, design or orientations is not visible to persons from a public place. An interior sign is not considered an on-site or off-site sign.

Invasive species: An exotic plant or tree species whose growth habit and reproductive strategy threaten to displace native species and disrupt ecological processes of natural communities common to Florida.

Irrigation: A permanent watering system equipped with surface, subsurface or overhead emitters and which provides one hundred (100) percent water coverage.

Irrigation zone: A control valve circuit containing irrigation devices with consistent application rates.

Jogged: Protruding or receding part in a surface or line; an abrupt change in direction.

Junkyard: Any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, dismantling, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or unregistered, inoperable motor vehicles or other type of junk. For purposes of this definition, the storage of junk is not limited to a specific time.

Kenel: Any lot or premises on which four (4) or more domesticated animals more than four (4) months of age are housed, groomed, bred, boarded, trained or sold.

Laboratory, dental and medical: A facility intended to be a support service to dental, optical and medical offices by providing diagnostic analysis of patient's medical tests (such as blood test urinalysis, ~~CT Scan~~ ~~cat scan~~, X-ray or other medical tests related to diagnostic treatment) or producing such items as dentures, caps, bridges and optical prescriptions.

Land and/or lands: Shall include both unplatted and platted real property within the city, regardless of when the real property, if platted, shall have been placed on the public records of the county.

Land alteration: Any activity which removes vegetation from or changes the topography of the land by grubbing, tree removal, clearing, grading, filling or excavating, except for activities

undertaken to maintain existing grounds.

Land development decisions: Those decisions which require a public hearing prior to a decision being rendered including an amendment to the Tampa Comprehensive Plan future land use map, a parcel or area rezoning, a special use application, a variance application, a petition to review, a request for vacation of rights-of-way, or a HPC application as defined in **Article V, Division 3 of this Chapter 27-331.**

Land surveyor: A land surveyor registered under F.S. Ch. 472, who is in good standing with the state board of professional engineers and land surveyors.

Landfill: Land used for the disposal of waste, excluding hazardous waste.

Landmark: A building, site, structure, or object that has achieved significance as established by the criteria of the National Register of Historic Places as set forth in section 27-231.4 herein, that has been recommended for designation by the HPC and designated by the city as set forth in section 27-231.3 herein, identified by its legal description.

Landmark site: A landmark site is the location and the grounds, the premises or the setting for a landmark or a site that has been designated by the city as set forth in section 27-231.3 herein and meets the designation criteria set forth in section 27-231.4 and 27-231.5 herein, identified by its legal description.

Landscape: The planting of plant material, native plant material, recommended trees, grand trees or protected trees, including retention of existing, in such a way as to conserve, preserve and enhance land uses, natural land features and natural and aesthetic values. Nonliving natural material which permits percolation may also be used as accessory material in landscaping.

Landscape and tree planting plan: A plan that meets the requirements set forth in this chapter.

Landscape area trust fund: The fund established in section 16-46 of the Code for the purpose of acquiring new park land or improving existing public park land or public right-of-way by providing landscape area.

Landscape buffer: The prescribed, pervious area required for tree planting and landscaping between the vehicular use or vehicular display areas and street right-of-way and adjacent properties.

Landscape plant zone: A grouping of plants with similar water, light, and soil needs. Plant groupings based on water use are as follows: natural plants, drought tolerant plants, and oasis plants.

Landscape structure: A structure which utilizes manmade materials and vegetation to create a landscape feature.

Landscaped area: The minimum area on a parcel that is required to be landscaped pursuant to a landscape and tree planting plan. The types of plants and other materials permitted in a landscaped area are outlined in the definition of landscape in this section.

Landscaping: The installation or removal of plants and/or trees.

Large scale commercial development: ~~–~~(for purposes of the alcoholic beverage sales permit process): A development that contains five hundred thousand (500,000) square feet or more in

gross floor area, exclusive of residential and/or office floor area.

Lattice tower: Lattice tower means a wireless communication support structure that consists of metal crossed strips, bars, or braces, forming a tower which may have three (3), four (4), or more sides.

Level of service: An indicator of the extent or degree of service provided by or proposed to be provided by a facility based on and related to the operational characteristics of a facility.

License (city): A city occupational license tax receipt.

Listed animal species: Animal species which are identified as endangered, threatened, or species of special concern in Chapter 39, Florida Administrative Code, and occur in the City of Tampa.

Listed plant species: Plant species which are identified as endangered or threatened by the Florida Department of Agriculture and Consumer Services or the United States Fish and Wildlife Service, and occur in the City of Tampa.

Listed species: All species of plants and animals which are listed as threatened, endangered or species of special concern in Chapter 39, Florida Administrative Code, or by the Florida Department of Agriculture and Consumer Services or the United States Fish and Wildlife Service, and occur in the City of Tampa.

LLF: Light loss factor.

Loading dock: Any outdoor area of a vehicular use area or cargo storage area which is used primarily for bulk, neobulk and general cargo pickups and deliveries, refuse collection, port cargo loading, unloading, storage and staging, airport runways and apron areas or any other similar areas which require the free movement of large or heavy commercial trucks, cargo handling equipment or vehicles.

Loading, off-street: Space located outside of any street right-of-way or easement and designed to accommodate the temporary parking of vehicles used for bulk pickups and deliveries.

Local streetlights: Streetlights benefitting only one (1) platted subdivision.

Lodging unit: A room or group of rooms forming a separate habitable unit used or intended to be used for living and sleeping purposes by one (1) family only, without independent kitchen facilities; or a separate habitable unit, with or without independent kitchen facilities, occupied or intended to be occupied by transients on a rental or lease basis for periods of less than one (1) week.

Lot: Land bounded by lines legally established for the purpose of property division. As used in this chapter, unless the context indicates otherwise, the term refers to a zoning lot. For subdivision purposes, 'lot' includes 'tract' or 'parcel' and means the least fractional part of subdivided lands having limited fixed boundaries and an assigned number, letter or other name through which it may be identified.

Lot, butt: A lot located at the end of a block between two (2) corner lots.

Lot depth: The mean horizontal distance between the front and rear lines of a lot.

Lot, irregular: An irregular lot is a lot which is created out of the rear portion of a larger lot of record and is accessed through a private easement or driveway. These lots are typically known as "flag

lots." An irregular lot complies with the minimum lot area and width requirement of the applicable zoning district. The minimum width requirement is measured at the front setback from the end point of the access easement.

Lot line: A line that marks the boundary of a lot.

Lot line, interior: Any lot line that is not a street lot line; a lot line separating a lot from another lot.

Lot line, street: Any lot line separating a lot from a street right-of-way or general access easement. Where a lot line is located within such street right-of-way or easement, the right-of-way or easement boundary adjacent to the lot shall be considered the street lot line.

Lot of record: An entire lot as it was originally platted in a subdivision, the plat of which has been recorded in the office of the clerk of the circuit court of the county; or any parcel of land, whether or not of a subdivision, that has been officially recorded by a deed in the office of the clerk; provided such lot was of a size which met the minimum dimensions for lots in the district in which it was located at the time of recording.

Lot width: The horizontal distance measured along a straight line connecting the points at which a line demarcating the minimum front yard intersects with interior lot lines or other street lot lines.

Lot, zoning: A lot or combination of lots shown on an application for a zoning compliance permit which together meet all applicable requirements for development.

Low-volume irrigation: An irrigation system with a maximum flow rate per emitter of thirty (30) gallons per hour or less. These systems are not approved for turfgrass applications.

Lux: A metric measure of illumination, approximately one-tenth (1/10) of a foot candle.

Maintain. Maintain shall include general servicing and upkeep in a safe, operable and attractive condition.

Maintenance or storage facility: Land, building or structure devoted primarily to the maintenance and/or storage of equipment and materials.

Major renovation: Any construction, reconstruction, structural alteration, expansion, enlargement or remodeling conducted within any two-year period, the total cost of which exceeds fifty-one (51) percent of the assessed value of the property.

Major street map: A map depicting the arterial streets and collector streets within the city.

Management plan: A plan prepared to address preservation/restoration and management of significant or essential wildlife habitat, and which is approved by the city in accordance with this article. The management plan describes and depicts the location of areas to be preserved, including any protective buffers. The plan indicates the location of individuals of listed species, their nest sites, dens, burrows, feeding locations, roosting and perching areas, and trails, as appropriate. The plan identifies habitat management activities and contains an action plan with specific implementation activities, schedules, and assignments of responsibilities.

Manufacturing, heavy: An establishment whose principal purpose is the mechanical or chemical transformation of materials or substances into new products, including the bulk storage of raw materials, but may emit noise, vibration, dust, odor or pollutants. Activities include manufacturing, assembly and fabrication, including large scale or specialized industrial operations, processing and

compounding of semi-finished products from raw material in bulk form to be used in an industrial operation.

Manufacturing, light: An establishment whose principal purpose is the manufacturing, assembling, compounding, processing, packing, baling, repairing, storage or distribution of products made from previously prepared basic materials, such as bond, cloth, cork, fibre, leather, paper, plastics, metals (not involving punch presses over fifty (50) tons rated capacity), stones, tobacco, wax, yarns, or wood (except where sawmills or planing mills are employed). Examples of light manufacturing activities include:

- Adhesives
- Apparel and similar finished products
- Automatic merchandising and amusement machines
- Bakery goods, candy, ice cream and other food products
- Beverages, nonalcoholic
- Canvas goods
- Electric equipment for internal-combustion engines and kindred electric components and products
- Furniture, metal or wood
- Glass products
- Instruments, professional and scientific
- Jewelry; jewelers' findings and materials
- Leather products
- Luggage
- Musical instruments
- Novelties
- Office equipment
- Orthopedic and medical appliances
- Paper products, small, such as envelopes, stationery, bags, boxes and wallpaper printing
- Photographic and optical goods
- Plaster of Paris and paper-mache products
- Plastic products, but not including the processing of raw materials
- Pottery, figurines and other ceramic products from previously prepared minerals and earth
- Radio, radar, television, electrical and electronic equipment
- Rubber products, excluding tires, from purchases rubber
- Small appliances
- Watches and clocks
- Wood products, provided that all operations and storage are within an enclosed building
- X-ray apparatus

Marina: A facility for storing, berthing, securing and launching of private pleasure craft which may also include the sale of fuel and incidental supplies and minor repairs.

Marquee sign: Any sign which is attached to, or hung from, a permanent, rooflike structure which is supported by a building wall and which projects out from the building line usually but not necessarily over a public right-of-way such as a sidewalk.

Master lot: The lot of recorded on October 12, 1989.

Master improvement: Streetlight improvements that benefit more than one platted subdivision.

Material recovery facility (MRF): A MRF is a building or enclosed space used for the collection and processing of recyclable materials limited to paper, glass, plastic, aluminum and metal cans.

Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and manufacturing.

Memorial sign: Any sign erected in remembrance of a person or event or which is commemorative in nature.

Mesic habitats: Mesic habitats are moderately moist habitats. Mesic habitats occur as dry to moist, level to hilly uplands on poorly to somewhat poorly drained soils containing variable amounts of clay or organic material, and support a diverse array of mesic-adapted plants and animals. Mesic habitats occurring in the City of Tampa include pine flatwoods, dry prairies and mesic hammocks.

Mesic hammocks: Mesic hammocks, also known as upland hardwood forest, constitute the climax community of the area. There is no single dominant stress factor in most mesic hammocks. The result is a high plant diversity, particularly in the mature successional stages. Fire does not normally play a major role in this community. A variety of hardwood trees are found in this community and occur on fairly rich, sandy soils. Southern magnolia, laurel oak, American holly, dogwood, pignut hickory and live oak are characteristic species of this association. Variations in the species composition of mesic hammocks are partially due to differences in soil moisture. A major variation of this vegetation association is the live oak-cabbage palm hammock. Live oak-cabbage palm hammocks often border large lakes and rivers. Because this variant community type often functions as an ecotonal area adjacent to wetlands, it affords suitable habitat for a wide variety of plants and animals. Representative soils: Fort Meade, Gainesville, Millhopper, Kendrick, Lochloosa, Zolfo, Winder and Pinellas.

Microbrewery: An establishment in which the principal purpose is the production of malt liquors or beer, including the fermentation, bottling and distribution of beer, and which includes accessory uses that are tourist-oriented, such as tours of the microbrewery, retail sales of beer and related food products. The maximum annual production for a microbrewery is sixty thousand (60,000) barrels.

Minor subdivision: A subdivision comprised of ten (10) or less lots.

Mobile home: A single portable manufactured housing unit, or a combination of two (2) or more such units connected on-site, that is:

- (1) Designed to be used for living, sleeping, sanitation, cooking, and eating purposes by one (1) family only and containing independent kitchen, sanitary and sleeping facilities;
- (2) Designed so that each housing unit can be transported on its own chassis;
- (3) Placed on a temporary or semi-permanent foundation; and
- (4) Is over thirty-two (32) feet in length and over eight (8) feet in width.

Mobile home park: A combination of ten (10) or more mobile homes on a single zoning lot.

Modular news rack: A connected grouping of at least two (2) pockets within a single news rack in or upon, or projecting onto, or over, any part of the public right-of-way, and which is bolted directly to concrete surface, installed or used for the display, sale or distribution of newspapers, other periodicals or advertising circulars.

Monopole: Monopole means a vertical support structure, consisting of a single vertical metal, concrete or wooden pole, typically round or square, and driven into the ground or attached to a foundation.

Mulch: Any material applied to the soil surface to retain soil moisture, control erosion, inhibit weeds,

and/or regulate soil temperatures.

Multiple listing strips: Strips of wood or like material or paper affixed to, around or upon a real estate sign to indicate that the property being advertised for sale is also advertised within the real estate industry by virtue of their multiple listings service.

Multiple occupancy parcel: Any parcel which is occupied by more than one (1) establishment.

Multiple property designation: A group of historic properties related by common theme, general geographical area, and period of time that has been recommended for designation by the HPC and designated by the city as set forth in section 27-231.3 herein. A group of historic properties shall qualify for designation as a multiple property designation when each individual historic property meets the designation criteria set forth in section 27-231.4 herein.

National Historic Landmark: A historic property evaluated and found to have significance at the national level and designated as such by the Secretary of the Interior.

National Register of Historic Places: The official federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering and culture.

Native: An adjective used to describe species of flora and fauna which naturally occur in Hillsborough County and the City of Tampa; not to mean naturalized or indigenous species which originate from outside the city.

Native plant community: Those plant communities naturally occurring in north and central Florida.

Native plant material: Any plant material indigenous to central Florida and which is naturally grown or commercially propagated or cultivated for the nursery or landscaping industry.

Native tree: Any tree indigenous to central Florida or the city and which is naturally grown or commercially propagated or cultivated for the nursery or landscaping industry.

Natural plant: A plant, once established, that survives on rainfall without irrigation.

Natural plant communities: Naturally occurring stands of native plant associations exhibiting minimal signs of anthropogenic disturbance. Specific community types can be identified by characteristic dominant plant species composition. Community types found in the City of Tampa include pine flatwoods, dry prairie, sand pine scrub, sandhill, scrubby flatwoods, xeric oak scrub, xeric hammock, mesic hammock, hardwood swamps, cypress swamps, freshwater marsh, wet prairies, coastal marsh, mangrove swamp, coastal strand (see natural beaches and dunes) and marine grasslands.

Natural preserves: Publicly or privately owned lands or waters set aside for preservation in their natural state.

Natural Resources Coordinator: As part of the Planning and Development Department, the coordinator is the city official responsible for interpretation and enforcement of applicable provisions set forth in this Chapter and Chapter 13 Landscaping, Tree Removal and Site Clearing.

Natural shorelines (other than natural beaches and dunes): All emergent and submerge lands which are not classified as Preservation Areas, which border Class I, II or III Waters, which are within the mean annual floodplain of said waters and whose topography has not been significantly altered by human activity.

NCNB Plaza: The area described in Ordinance No. 9130-A.

New construction: The erection of a building or structure or the addition to a building or structure of greater than fifty (50) percent of the existing building size in square feet.

News rack: Any unstaffed, self-service, free, or coin-operated box, container, storage unit or other dispenser located in or upon, or projecting onto, or over, any part of the public right-of-way, and which is installed, used or maintained for the display, sale, or free distribution of newspapers and other publications. News rack includes modular news rack.

Nightclub: An establishment that may include a restaurant or bar component, and wherein paid (hired for compensation) floor shows or other forms of paid entertainment, including but not limited to DJ's and live bands, are provided for customers as a part of the commercial enterprise.

No dumping sign: A sign having copy which includes the words "no dumping" and which is designed to inform the public that permission to place any putrescible or non-putrescible material or other solid or liquid waste is expressly denied.

Nonconforming parking lot: Any property used as a principal or interim parking lot, which does not comply with the requirements of section 27-246(l).

Nonconforming sign: Any sign lawfully in existence within the City of Tampa on the effective date of this chapter which does not conform to the requirements of this chapter. An illegal sign shall not be considered to be a nonconforming sign.

Nonconformities: Those characteristics of the property, structure or use which are not permitted in the schedule of permitted uses or do not conform to the schedule of area, height, bulk and placement regulations, or other provisions of this chapter, but were legal at the time they were established.

Non-contributing: A building, object, or structure that does not add to the historic architectural qualities, historic associations or archaeological values for which a property is significant because (a) it was not present during the period of significance, (b) due to alterations, disturbances, additions, or other changes, it no longer possesses historical integrity reflecting its character at that time or is incapable of yielding important information about the period, or (c) does not independently meet the historic landmarks criteria set forth in Appendix V of the National Register of Historic Places Bulletin 16A, "How to Complete the National Register Registration Form" or any amendment or replacement thereof.

Non-profit land conservation agency or organization: An agency or organization whose purpose is the preservation of natural areas, and which is exempt from federal income tax under Section 501(c)(3) of the United States Internal Revenue Code.

Nonwooded land: A parcel greater than one (1) acre less than fifty (50) percent of which is covered by native tree canopy and/or forested native plant communities, exclusive of wetlands.

Notice (notification): Unless otherwise specified, where notice is required by this chapter to be given, it shall be given by certified mail delivery to the last known address of the person to be notified, or by hand delivery to such person. Additionally, the sign structure or property on which the sign is located shall be posted with a notice of violation. If certified mail delivery or hand delivery is not possible, then an advertisement in any regularly published newspaper in the city shall suffice.

No trespassing sign: A sign having copy which includes the words "no trespassing" and which is designed to inform the public that permission to enter a parcel of land is expressly denied.

Number of off-site spaces: The total number of spaces located within five hundred (500) feet of the property and which meet the code requirements of this chapter.

Number of on-site spaces: The total number of spaces contained on the site which meet the code requirements of this chapter.

Number of spaces required: The required number of parking spaces for the designated land use as defined in this chapter.

Nursing, convalescent and extended care facility: Any facility which provides nursing services as defined in F.S. Ch. 464. "Facility" means any institution, building, residence, private home or other place, whether operated for profit or not, including those places operated by a county or municipality, which undertakes through its ownership or management to provide nursing care, personal care or custodial care for more than twenty (20) persons not related to the owner or manager by blood or marriage, who by reason of illness, physical infirmity or advanced age require such services, but shall not include any place providing care and treatment primarily for the acutely ill.

Oasis plant: A plant, once established, requiring frequent irrigation.

Object: A construction primarily artistic in nature or relatively small in scale and simply constructed, such as a statue or milepost.

Office, business or professional: An establishment offering services or knowledge to the business community or to individuals, but excluding a medical office. Such activities would include accounting, brokerage, insurance, advertising, employment services, real estate services, lawyer and architect.

Office district: An office district is any property which is zoned RO, RO-1, OP, OP-1, SH-RO, or PD or PD-A (approved primarily for office uses).

Office, medical: An establishment offering medical services and knowledge to the community or individuals. Such activities would include physician, dentist, psychologist, chiropractor, mental health therapist and physical and recuperative therapists.

Off-site conservation fund: A fund established for the purpose of acquisition, restoration and management of significant or essential wildlife habitat. The fund shall be managed by a local government or the local government may contract with a non-profit land conservation agency or organization to manage such fund.

Off-site preservation land bank: An area of land in the City of Tampa or Hillsborough County which is approved by the City as appropriate for off-site preservation of upland habitats as provided in this article and which is in either public or private ownership or has been acquired by a non-profit land conservation organization for the purpose of being used as a land bank for the preservation or restoration of land.

Off-site sign: Any sign upon which commercial or noncommercial advertising or any other matter may be displayed, advertising goods, services or other things not sold or available upon the parcel

(or zoning lot, if a signage plan is approved for the entire zoning lot) or only incidentally available where the sign is located.

One foot-candle: The amount of illumination provided by one (1) lumen uniformly distributed on one (1) square foot of surface.

On-site sign: Any sign upon which commercial or noncommercial advertising or any other matter may be displayed, advertising goods, services or other things sold or available upon the parcel where the sign is located. Any authorized or permitted on-site sign is allowed to contain non-commercial speech in lieu of any other speech.

Open display: The display outside of a structure of finished products or merchandise which is available for sale or lease at the establishment where it is displayed. By way of illustration, open display may include but is not limited to boats, recreational vehicles, cars, trucks and lawn care equipment.

Open storage: The storage or keeping, outside of a completely enclosed building, of any materials, goods, merchandise, equipment or vehicles.

Ordinary maintenance: Work done to repair ordinary damage or to prevent ordinary deterioration or decay of a building, improvement, object, structure or site or any part thereof as nearly as possible to its condition prior to such damage, deterioration, or decay, and which does not involve or cause a change in the design, the material, or the exterior appearance of the building, improvement, object or structure or site.

Overlay districts: Geographic areas, identified in Chapter 27, which overlay the underlying zoning districts providing for additional development and sign regulations. See Chapter 27 for the applicable sign regulations for overlay districts.

Overspray: Water that is delivered beyond the landscape area wetting pavements, walks, structures, or other non-landscaped areas.

Owner: The person to whom a permit or license shall be issued, for example, to install, operate and maintain trash receptacles upon the sidewalks of the city.

Parcel: A contiguous area of land with its appurtenances and buildings which, because of its unity of use or commonality of ownership, may be regarded as the smallest conveyable unit of real estate and is capable of being described with such definiteness that its location and boundary can be established, and which is leased, owned, or designated by its owner or developer as land to be used or developed as part of a consistent development plan; provided, however, a parcel may consist of more than one (1) parcel under separate ownership if these parcels are: (i) one zoning lot of record or subject to a single PD zoning site plan and (ii) a common signage plan is prepared and approved as part of the zoning of the parcels or pursuant to the procedures provided for in this chapter.

Parking, accessory: Space located outside of any street right-of-way or easement and designed to accommodate the parking of motor vehicles on the same zoning lot as the principal use and where the principal use is also a permitted use within the zoning district of the property used for said parking.

Parking, bicycle: Designated area for parking bicycles, which may consist of standard bicycle racks, storage lockers, or other secured, lockable facilities.

Parking, commercial: Any garage or surface-level lot used and designed to accommodate the parking of motor vehicles for an adjacent commercial or office use.

Parking, principal: Any garage or surface level lot at which the parking of vehicles is the principal use of the property, which lot is intended to be used for a period longer than six (6) years, whether operated for commercial or private purposes.

Parking lot, temporary: An area or portion of a lot located outside of any public right-of-way or easement used during the construction or reconstruction of a building project to park motor vehicles of employees, tenants, guests, patrons, construction workers or other like visitors whenever the off-street parking required by this chapter cannot be provided or is displaced for a temporary period of time due to the construction or reconstruction.

Parking space credit: The equivalent of one (1) parking space paid for by the developer through an in-lieu parking payment.

Participating organization: An organization that has an interest in land development decisions made within the City of Tampa. In order to qualify as a participating organization, the organization must either be (1) an Officially Registered Neighborhood Association with the City of Tampa Neighborhood and Community Relations office or (2) after March 31, 2011 an incorporated not for profit entity or condominium association as evidenced by a valid certificate of status issued by the Department of State. A participating organization must appoint an authorized representative to receive mailed notice and to act on behalf of the participating organization. Applications for land development decisions filed prior to March 31, 2011 shall only be required to provide good neighbor notice to Officially Registered Neighborhood Associations.

Patently inconsistent: Clearly, obviously, and plainly incompatible or lacking consistency with.

Paving base: Material placed prior to the final riding surface, usually consisting of shell, marl, limestone, soil, cement or bituminous concrete.

P.C.P.: "Permanent Control Point," which shall be a secondary horizontal control monument and shall be a metal marker with the point of reference marked thereon; or a four-inch by four-inch concrete monument a minimum of twenty-four (24) inches long with the point of reference marked thereon. P.C.P.'s shall bear the registration number of the surveyor filing the plat of record.

PDD Director: The Director of the Planning and Development Department or designee who shall be responsible for the management of the affairs of the department.

Pergola: An arbor or a passageway of columns supporting a roof of trelliswork on which climbing plants are trained to grow.

Permanently protected: Ownership of the fee simple title of land by, or the establishment of a permanent conservation easement containing restrictions substantially similar to those in Section 704.06, Florida Statutes (1993), in favor of the City of Tampa or other land conservation governmental agency, or a private, non-profit land conservation organization.

Permit: An official document authorizing performance of a specific activity as regulated by the City.

Permit card or placard: A document issued by the city evidencing the issuance of a permit.

Pennant: A piece of fabric or material which tapers to a point or swallow tail, which is attached to a string or wire, either singularly or in series.

Permanent sign: A permanent sign is one which is fixed to a building or the ground in such a manner as to be immobile without the use of extraordinary means, such as disassembly.

Person: Shall have the meaning provided in F.S. § 1.01(3), as amended from time to time.

Personal care services: The furnishing of one (1) or more of the following to persons in need of assistance due to age, physical or mental disability, illness, injury and the like; supervision of self-administered medication, aid in personal hygiene, eating, drinking, ambulation, dressing, recreation and the like. For purposes of this definition, personal care services do not include direct medical treatment.

Personal services: An establishment that primarily provides services generally involving the care of a person or his apparel, such as barbershops, beauty salons, seamstress shops, shoe repair shops, dry-cleaning and laundry pickup facilities, and coin-operated laundry and dry-cleaning facilities.

Pervious area: A permeable surface area which allows passage of surface water and air to the root system of a tree. A pervious area shall be free of significant amounts of clay, shell, marl, limestone or other road-base material unless expressly permitted in the context thereof, but may be surfaced with turf blocks or similar nontoxic products.

Petroleum storage and/or processing: The storage and/or processing of petroleum, flammable and combustible liquids and gas.

Pharmacy: An establishment offering prescription and nonprescription drugs and medicines, prosthetic devices and medical and dental supplies at retail.

Physical value: The county property appraiser's assessed value or a certified appraisal by a person appropriately licensed to provide appraisals of real estate.

Pine flatwoods: Pine flatwoods occur on level areas and are characterized by one (1) or more species of pine as the dominant tree species. The soils of flatwoods are sandy with a moderate amount of organic matter in the top few centimeters, and an acid, organic hardpan one (1) to three (3) feet beneath the surface. This hardpan reduces rainfall percolation, reduces the upward movement of water, and impeded root penetration during droughts. Two (2) major types of flatwoods occur in Hillsborough County. Long-leaf pine flatwoods are found on well-drained sites and are characterized by having long-leaf pine as the dominant overstory tree. Slash pine flatwoods, with slash pine as the dominant overstory species, usually occur in areas of intermediate wetness. Considerable overlap in understory plants exist between the two (2) major types of flatwoods, with many species found in both communities. Generally however, gallberry and saw palmetto dominate the understory in slash pine flatwoods, and wiregrass and runner oaks are especially prevalent in longleaf pine flatwoods. Flatwoods also often contain cypress domes, bay heads, freshwater marshes and wet prairies. Two (2) variants of this plant community are cabbage palm flatwoods and scrubby flatwoods. Cabbage palm flatwoods typically occur in low, flat coastal areas. Here the dominant overstory trees are cabbage palm and slash pine and the understory is sparse. Ground cover consists of more water tolerant, herbaceous species. Scrubby flatwoods often occur on drier ridges in flatwoods. The overstory tree of this vegetation type may be either slash pine, longleaf pine or sand pine scrub. In some cases, pines may be absent. Fire and water are the two (2) main determinants of flatwoods ecology. Slash pine flatwoods are subject to less moisture stress and have the highest species diversity. Fire is instrumental in reducing competition

from hardwoods, but does not occur often enough to kill the young, fire-sensitive slash pines. Longleaf pine flatwoods are stressed by a relative lack of water, which reduces plant diversity. Fire is important in hardwood suppression and in making an area suitable for longleaf pine germination. The longleaf pine is particularly well adapted to fire and is immune to ground fires at almost all stages of growth. A mixed hardwood and pine forest is a successional stage of pine flatwoods where fire is no longer a controlling factor in suppressing hardwoods. Representative soils: Eaton, Immokalee, Myakka, Smyrna, Ona, St. Johns and Wabasso.

Place of assembly: A place designed to accommodate the assembly of persons attending athletic events, musical performances, dramatic or terpsichorean performances, speeches or ceremonies, and other entertainment events, including stadiums, coliseums, athletic centers, concert halls, amphitheaters and arenas.

Place of religious assembly: A structure in which persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship. A place of religious assembly shall also include structures for related religious activities on the same site such as educational buildings, administrative buildings and sleeping quarters for personnel (parsonage, convent, monastery, etc.). As part of this definition, uses such as daycare, elementary or secondary school, assisted living facilities, professional residential facilities, and emergency shelters are not included as "related religious activities" without proper approval for such use as defined in section 27-77, Table 4-1.

Planned development: Land that is under unified control and planned and developed as a whole in a single development operation or a definitely programmed series of development operations. A planned development includes principal and accessory structures and uses substantially related to the character and purposes of the planned development. A planned development is constructed according to comprehensive and detailed plans which include not only streets, utilities, lots or building sites and the like, but also site plans and floor plans for all buildings as intended to be located, constructed, used and related to each other, and detailed plans for other uses and improvements on the land as related to the buildings. A planned development includes a program for the provisions, operation and maintenance of such areas, facilities and improvements as will be for common use by some or all of the occupants of the planned development district, but which will not be provided, operated or maintained at general public expense.

Planning commission: The Hillsborough County City-County Planning Commission.

Plant material: Any ground covers, shrubs, turf or vines which are commercially propagated or cultivated for the nursery or landscaping industry.

Plat: A map or delineated representation of the subdivision of lands being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable sections of this chapter and of any local ordinances and may include the terms "replat," "amended plat," or "revised plat."

Political campaign sign: A sign identifying and urging support for or opposition to a particular issue, political party, ballot issue or candidate relating to an event or occurrence scheduled to take place at a specific time and place.

Portable signs: Any sign which is not permanently erected on the site (building or lot) and which may be moved readily from place to place; except that this definition shall not apply to signs painted directly on vehicles or signs displayed through, but not on, windows.

Preliminary development permit: An ordinance of the city approving a rezoning or special use, or the administrative approval of a preliminary plat.

Preservation (historic): The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property.

Preservation (natural resource): As this term is used in this article, preservation means the protection and maintenance of the integrity of a species and its habitat, or a natural plant community, from the direct and secondary impacts of development.

Preservation areas: See "Environmentally sensitive areas."

Printing and publishing: An establishment primarily engaged in preparing, publishing and printing newspapers, periodicals, books and pamphlets.

Printing, light: An establishment whose principal use is printing, reproduction or publishing, but not including large-scale typesetting operations.

Prior parking space credit: The space credit for a designated number of spaces for which an in-lieu parking payment has previously been paid to the city.

Private pleasure craft: A vessel which is privately owned or leased primarily for recreational purposes. Private pleasure craft do not include commercial, official or scientific vessels. For regulatory purposes, private pleasure craft are divided into two (2) classes as follows:

- (1) *Minor*—Under sixteen (16) feet in length;
- (2) *Major*—Sixteen (16) feet or more in length.

Private pleasure craft may or may not contain facilities qualifying them as dwelling or lodging units. Where they do contain facilities, use within the city shall be governed as provided in this chapter and other applicable regulations.

P.R.M.: A "Permanent Reference Monument," which consists of a metal rod a minimum of twenty-four (24) inches long or a one-and-one-half-inch minimum diameter metal pipe a minimum of twenty (20) inches long, either of which shall be encased in a solid block of concrete or set in natural bedrock a minimum of six (6) inches in diameter, and extending a minimum of eighteen (18) inches below the top of the monument, or a concrete monument four (4) inches by four (4) inches a minimum of twenty-four (24) inches long, with the point of reference marked thereon. A metal cap marker, with the point of reference marked thereon, shall bear the registration number of the surveyor certifying the plat of record, and the letters "PRM" shall be placed in the top of the monument.

Professional residential facility: Any residential establishment, other than a hospital or nursing home, providing board, lodging, supervision, medication, counseling or other diagnostic or therapeutic services and licensed by the state department of health and rehabilitative services. Professional residential facilities are further defined by the following types:

- (1) *Recovery home, A:* A group residential facility providing room, board and professional services to no more than eight (8) persons in need of a structured environment. For the purpose of this chapter, a "recovery home" shall not be deemed to include a residential treatment facility, a group care home, family care home, nursing home, hospital, emergency shelter, emergency shelter home or foster home.
- (2) *Recovery home, B:* A group residential facility providing room, board and professional services to at least nine (9), but no more than sixteen (16) persons in need of a structured

environment. For the purpose of this chapter, a "recovery home" shall not be deemed to include a residential treatment facility, a group care home, family care home, nursing home, hospital, emergency shelter, emergency shelter home or foster home.

- (3) *Residential treatment facility:* Any residential establishment, other than a hospital or nursing home, providing relatively intensive diagnostic or therapeutic services for one (1) or more residents. For the purpose of this chapter, a "residential treatment facility" shall not be deemed to include a nursing home, hospital, group care home, family care home or emergency shelter. Nothing in this chapter shall prevent a residential treatment facility from having outpatients or a recovery home component.
- (4) *Life care retirement facility:* A condominium/cooperative which has nursing home services as a part of the facility or has nursing home services at a separate location.

Projecting signs: Any sign which is attached to or projects from the outside wall of any building or structure, excluding wall signs as defined herein.

Protected tree: A tree and its root system, other than trees exempted in section 13-7, having the characteristics set forth in section 13-6.

Protective barricade: A physical structure not less than three (3) feet in height; limiting access to protected trees and grand trees. A suitable protective barrier shall visually define the required protective root zone (PRZ) during construction.

Protective barrier: A physical structure not less than four (4) feet in height, composed of wood or other suitable materials, limiting access to a protected area to assure compliance with the intent of this Code. Natural areas to be preserved, such as conservation areas, preservation areas, areas where the vegetation of natural plant communities is retained and other areas where land alteration is not authorized, can be protected during land alteration and construction activities by placing stakes, or other acceptable materials, at the perimeter of such areas a maximum of twenty-five (25) feet apart, and tying twine flagged with plastic surveying tape from stake to stake along the perimeter of such areas to be preserved.

Protective covenants: Separate contracts or individual covenants entered into between the developer or other seller and lot purchaser and which constitute a restriction on the use of all private property within a subdivision for the benefit of property owners designed to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

Protective dry well and drainage/aeration systems: A tree protection technique used to stabilize soil and provide air and water to root systems when the grade is raised.

Protective retaining wall: A tree protection technique used to stabilize soil around root systems when the grade is lowered.

Protective root zone (PRZ): The entire surface and subsurface soil area encompassed by prescribed radius for protected and grand trees (per the technical manual).

Provider: Any person that places or seeks to place communications facilities in the public rights-of-way, or uses or seeks to use communications facilities placed or to be placed in the public rights-of-way by another person, to provide communications services.

PSC: The Florida Public Service Commission.

Public art: See definition in Chapter 4, City of Tampa Code of Ordinances.

Public cultural facility: The use of land, buildings or structures by a municipal or other governmental agency to provide cultural services directly to the general public, including public libraries and museums.

Public facilities and services: Those public facilities and services for which level of service standards have been established in the Tampa Comprehensive Plan, which are recognized in section 17.5-46 of this article, and which are listed below:

- (1) Potable water;
- (2) Wastewater;
- (3) Solid waste;
- (4) Parks and recreation;
- (5) Stormwater management;
- (6) Transportation; and
- (7) Mass transit.

Public food service establishments: An establishment that is operating as a restaurant or restaurant drive-in, including sidewalk cafés.

Public open space: Solely for purposes of Article XVIII, Central Business District, hereof, open space is deemed to mean an area open to the sky, but may include arcades, canopies, or similar permanent feature (with a minimum fifteen (15) feet vertical clearance from grade) to provide weather protection and unique architectural design, while allowing the movement of light and air and maintaining commercial storefront visibility.

Public place: Public rights-of-way (excluding sidewalks), roads (excluding sidewalks), streets (excluding sidewalks), highways, alleys, bridges, any river, channel, lake, bay, body of water, public park or any adjacent parcel under separate ownership unless the parcels consist of one (1) zoning lot of record which is the subject of a common signage plan approved for the entire zoning lot.

Public rights-of-way: The roads, streets, alleys, highways, waterways, bridges, sidewalks, and other ways or places of whatever nature, including the space above, on, at or below such rights-of-way, that are owned by the city, publicly held by the city, dedicated to the city, or otherwise controlled by the city, for public use and presently opened or to be opened for public use, including vehicular and pedestrian movement.

Public service facility: The use of land, buildings or structures by a public utility, railroad or governmental agency, including water treatment plants or pumping stations, sewage treatment plants or pumping stations, nonnuclear power plants and substations, telephone exchanges and other similar public service structures, but not including land, buildings or structures devoted solely to the storage and maintenance of equipment and materials.

Public space: An area that is easily accessible and designed to physically accommodate public use during normal business hours.

Public use: Activities enjoyed or engaged in by the general public including sitting, talking, meeting, eating, meditating, viewing, reading, relaxing and any other activities commonly associated with and/or fostering human social interaction.

Public use facility: The use of land, buildings or structures by a municipal or other governmental agency to provide protective, administrative, social and recreational services directly to the general

public, including police and fire stations, municipal buildings, community centers, public parks and any other public facility providing the above services, but not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and not including public cultural facilities or public service facilities.

Pylon sign: Any sign which is supported by structures or supports in or upon the ground and independent of support from any building. However, a pylon sign shall be specifically excluded from the definition of a ground sign. The structural elements of a pylon sign shall not exceed one and one-half (1½) feet in diameter and, if so, shall be considered a ground sign.

Radio/TV studio: A facility for the production and broadcast of radio and/or television programs, including such elements as offices, dressing rooms, broadcast and taping studios, file rooms, set storage and construction areas, receiving facilities and transmitting facilities operating on other than the commercial or public AM, FM, television or international shortwave broadcast frequencies for the purpose of relaying radio and/or television signals between the radio/TV studio and a radio/TV transmitter site or communications satellites, mobile broadcast units, microwave relay facilities or other such facilities, the use and accessibility of which are limited to the broadcast industry.

Rain sensor device: A calibrated device that is designed to measure rainfall and override the irrigation cycle of the irrigation system when a pre-determined amount of rainfall has occurred. The suggested setting of the rain sensor device for shut-off, as per the University of Florida's Institute of Food and Agricultural Sciences (IFAS), is one-half (½) to three-quarters (¾) inch.

Real estate sign: A sign which advertises the sale, rental or development of the parcel upon which it is located.

Recommended tree: A tree of two (2) inches or greater in diameter, as measured six (6) inches above grade, which is included in the recommended tree list set forth herein as Schedule E in section 13-165.

Reconstruction: The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, buildings, structure, or object for the purpose of replicating its appearance at a specific period of time and its historic location.

Reconstruction (sign): Reconstruction shall be permitted when the historic sign is missing. The reconstruction shall be based upon historical, pictorial, or physical documentation or, if historical documentation is not available, a new design that is compatible with the historic character of the building as determined by the architectural review commission or the Barrio Latino Commission. The size of the sign shall not exceed the size of the original historic sign, based upon the aforementioned documentation.

Record drawings: See "as-built drawings."

Recreational facility, commercial:

1. *Indoor.* An indoor facility, privately operated for profit, including but not limited to indoor swimming pools and tennis courts, health clubs, amusement arcades, bowling alleys, skating rinks, pool halls and theatres.
2. *Outdoor.* An outdoor facility, privately operated for profit, including but not limited to outdoor swimming pools, tennis courts, pointball sports, miniature golf, go-cart tracks.

Recreational facility, private: A privately operated facility providing indoor or outdoor recreation activities, including but not limited to community clubs and meeting halls (boys and girls), country

clubs, golf courses, riding stables and tennis clubs.

Recreational vehicle and equipment: Vehicle or equipment designed and built for recreational purposes such as camping, boating and off-road sports. Recreational vehicles and equipment include but are not limited to truck campers, golf carts, dirt bikes, pleasure craft, motor homes, travel trailers and converted buses.

Recycling/building and auto parts: The use of any land whether inside or outside of a building for the purpose of sale of used building materials and/or automotive parts. The dismantling of wrecked or inoperative automobile or other vehicles or machinery is allowed provided the removal of all scrap metals or other scrap materials and junk is removed from the property on a quarterly basis.

Recycling – materials and goods: The use of any land whether inside or outside of a building for the purpose of recycling, processing, and sale of used/recycled building materials, and/or automotive vehicle/vessel parts, computer components, or residential/commercial appliances. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and manufacturing. Any sorting and disposing of universal waste (batteries, fluorescent tubes, and some electronic devices), as well as the overall operation of the establishment, must comply with all necessary requirements of local, state, and federal law.

Refuse bin: ~~means a~~ A large metal box for solid waste, usually of the two (2) cubic yard to eight (8) cubic-yard size, or compactors and roll-off boxes of larger capacities, lifted mechanically by trucks in order to empty.

Registered land surveyor: A person who is registered to engage in the practice of land surveying as defined in and in accordance with F.S. § 472.001 through 472.039.

Registered landscape architect: A person who holds a license to practice landscape architecture as defined in and in accordance with F.S. § 481.301 et seq.

Rehabilitation: The act or process of returning a building, improvement, object, structure or site to a state of utility, through repair, alteration or addition, which makes possible an efficient contemporary use while preserving those portions and features of the property that are significant to its historic, architectural and cultural values.

Rehabilitation (sign): Rehabilitation shall permit the removal of the historic sign for repairs, such as cleaning, rust removal, electrical repairs or replacements, and application of protective coating systems. Rehabilitation shall permit replacing in-kind entire components of the sign that are too deteriorated to repair. If using the same material is not technically or economically feasible, then a compatible substitute material may be considered. The name or graphics on the sign may be changed.

Related owner: A person related to an owner of property by blood or marriage or an entity owned, controlled, or operated by or under the common control of an owner or person related thereto by blood or marriage.

Relocate: Any change in the position of a sign from its original location.

Relocated tree: A protected tree that has been transplanted in the areas specified in this chapter.

Remodeling: Work which changes the original size, location or material of the components of a

building.

Removed tree: A protected tree that has been irreversibly damaged or destroyed.

Renovation, rehabilitation, building improvement: Those words used to describe a change or modification to an existing structure. The change may include expansion or upgrading of a building.

Replaced tree: A recommended tree planted in the areas specified in this chapter in the place of a protected tree or grand tree which was irreversibly damaged or destroyed.

Research activity: Research, development and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering, provided such activities are conducted within entirely enclosed buildings and produce no noise, smoke, glare, vibration or odor detectable outside the buildings.

Residential building: Any single-or two-family building or accessory structure.

Residential district: A residential district is any property which is zoned RS-50, RS-60, RS-75, RS-100, RS-150, RM-12, RM-16, RM-18, RM-24, RM-35, RM-50, RM-75, SH-RS, SH-RM, YC-2, YC-4, and site plan controlled districts approved primarily for residential use.

Restaurant: An establishment whose principal business is the preparation, serving, and selling of food, to the customer for immediate consumption on or in the vicinity of the premises or for take-out by customers. Food shall be continuously ready to be prepared, served, and sold during all business operational hours for a restaurant use. All restaurants shall be appropriately licensed as a restaurant or similar food service-type use by the State of Florida.

Restaurant, drive-in: A restaurant whose business also includes one (1) or both of the following characteristics:

- (1) Serving and selling of food directly to the customer in a motor vehicle by a carhop or by other means, which eliminates the need for the customer to exit the motor vehicle.
- (2) The consumption of food within a motor vehicle parked upon the premises, or at any facilities on the premises outside the restaurant building, where consumption is allowed, encouraged, or permitted.

Restoration (historic): The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of removal of features from other periods of history and reconstruction of missing features from the restoration period.

Restoration (natural resource): The process of reestablishing natural plant communities and moisture conditions which are at least the ecologically functional equivalent of the pre-disturbed land.

Restoration (sign): Restoration shall permit the removal of the historic sign for repairs, such as cleaning, rust removal, limited paint removal, electrical repairs or replacements, and re-application of protective coating systems. The name or graphics may not be changed.

Retail Bakery: A place where products such as bread, cake, and pastries are predominantly baked and sold retail on premise and may be sold wholesale

Retail sales, convenience goods: Commercial establishments that generally serve day-to-day commercial needs of a residential neighborhood, including but not limited to drugstores, tobacco shops, newsstands, bakeries, confectioneries, delicatessens, meat and produce markets, food stores

with less than ten thousand (10,000) square feet in floor area, and eating and drinking establishments. Specifically excluded from this class of uses is retail sale of spirits and liquors.

Retail sales, gasoline: Commercial establishment which sells gasoline or diesel fuel directly to the consumer. The user "retail sales, gasoline" does not imply that vehicular repairs (major or minor) are permitted as part of this use.

Retail sales, lawn and garden shop: The retail sales of plants, prepackaged gardening materials (such as, mulch, fertilizer, and seed), gardening equipment (such as, lawn mowers, hedgers, and rakes) and other similar commodities.

Retail sales, shoppers' goods: Commercial establishments that, in addition to serving day-to-day commercial needs of a community, also supply the more durable and permanent needs of a whole community, including but not limited to supermarkets, department stores, discount stores, variety stores, hardware and garden supply stores, apparel and footwear stores, florists, gift shops, jewelry stores, book and stationery stores, specialty shops, sporting goods stores, furniture and home furnishing stores, automotive supply stores and appliance stores.

Retail sales, specialty goods: Commercial establishments that cater to particularized markets, such as tourists, ethnic groups, collectors, etc., and offering goods not generally available in convenience or shoppers' goods establishments.

Retail space: Space within a structure that has been designated for retail uses.

Reupholstery shop: An establishment which recovers and/or repairs the upholstery of furniture or vehicles. Reupholstery shop shall not be deemed to include open storage or outdoor display.

Revolving signs: Any sign so erected or constructed as to periodically or continuously change the direction toward which any plane containing the display surface area is oriented.

Right-of-way: A portion of land, which is dedicated, deeded, used or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals or governing bodies.

Right-of-way line: That line which delineates the right-of-way from adjacent property.

Riverwalk: A high quality, integrated manmade continuous pedestrian pathway constructed within the waterfront building setback area and designed to facilitate pedestrian access, activity and movement along the waterfront.

Roof sign: Sign that is erected, constructed or maintained on the roof of a building or structure above the eaves, or above mansards, parapets, or other similar architectural features of buildings or structures which are capable of supporting signs.

Roof line: The top edge of the roof or parapet. Whichever forms the top line of the building silhouette when viewed from the ground level.

Roominghouse: A building or group of buildings containing in combination three (3) to nine (9) lodging units intended primarily for rental or lease for periods of longer than one (1) week, with or without board.

Root pruning: An arboricultural technique for preserving trees by providing for the sharp severance

of tree roots at a prescribed off-set relating to the size of the tree. Equipment must be approved by the department and have the capability of cutting to a minimum depth of eighteen (18) inches below grade in order to protect residual roots within the protected root zone.

Runoff: Water, not absorbed by the soil, that flows from the area.

Sandhill: Sandhill communities occur on well-drained, white to yellowish sands. The sands are usually deep and relatively sterile, but contain more organic matter than the soils of the sand pine scrub community. Long-leaf pines form a scattered overstory in mature natural sands. In many areas of this community, xeric oaks, such as turkey oak and bluejack oak, which were originally small understory trees, now form the overstory as a result of logging of the pines and prevention of fire. Where the pines are not present, the community is known as xeric hammock. Although tree species diversity is low, there is a wide variety of herbaceous plants, such as wiregrass, beggar's tick, Paridae pea, queen's delight, tread softly and other plants, which provide fairly complete ground cover. Fire is also a dominant factor in the ecology of this community. The interrelationships of the sandhill vegetation types, particularly the longleaf pine/wiregrass relationship, are dependent on frequent ground fires. The longleaf pine is sensitive to hardwood competition, and wiregrass plays a major role in preventing the germination of hardwood seeds while ensuring that there is sufficient fuel build-up on the floor of the community to carry a fire over large areas. The burrowing habits of many of the animals of this association play a significant role in recycling the easily leached nutrients to the surface. Representative soils: Candle, Lake, Orlando, and Tavares.

Sand pine scrub: A plant community found almost exclusively on relict dunes or other marine features created along present and former shorelines. The soil is composed of well-washed and sterile sands. This community is typically two-layered, with sand pine occupying the top layer and various scrubby oaks and other scrub species making up a thick, often clumped understory. Where sand pines are not present, the community is known as xeric oak scrub. Little herbaceous ground cover exists, and large areas of bare sand occur frequently. Typical understory plants include myrtle oak, sand live oak, Florida rosemary, Chapman's oak, scrub holly, and sickbay. Florida bluestem grass also is a good indicator species of scrub communities. Sand pine scrub is essentially a fire-based community. Ground vegetation is extremely sparse and leaf fall is minimal, thus reducing the chance of frequent ground fires so important in the sandhill community. As the sand pines mature, however, they retain most of their branches and build up large fuel supplies in the crowns. When a fire does occur, this fuel supply, in combination with the resinous needles and high stand density, ensures a hot, fast burning fire. The pine seeds are released by the heat of the fire. Thus, fires allow for regeneration of the sand pine community, which would otherwise become a xeric oak scrub hardwood community. This type of fire regeneration usually results in even-aged stands of trees. Representative soils: Archibald, Pomelo and Arsenio.

School: A facility providing a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools, junior high schools, high schools and comparable private schools.

Screen: A hedge or artificial barrier.

Scrubby flatwoods: Scrubby flatwoods are a xeric variant of pine flatwoods. Representative soils: Pomello, Archbold, and Orsino. See Pine Flatwoods.

Search ring: A geographic area in which a telecommunication carriers antenna is intended to be located in order to serve the carrier's intended coverage area.

Seawall: An artificial shoreline protection device approved by regulatory agencies.

Secondary impacts of development: The indirect developmental impacts to a species or its habitat, or to a natural plant community, from activities including, but not limited to, those related to the introduction of domestic animals or motorized vehicles, noise, man-induced hydrological changes, suppression of fire in areas naturally adapted to fire, and pesticide and fertilizer applications, that adversely impact the individuals of a species, its habitats, or a natural plant community.

Secretary of the Interior Standards: The United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as adopted by the United States Department of the Interior, National Park Service, 36 C.F.R. § 67(1995).

Security: Any –

- (1) Bond,
- (2) Letter of credit,
- (3) Escrow agreement or
- (4) Agreement between a CDD and the City of Tampa with proof of funding dedicated exclusively to the installation of infrastructure improvements accompanied by a legal opinion from bond counsel and CPD counsel approved by the city attorney's office which is pledged by an obligor in order to ensure performance of an obligation, to be used in case of failure in the principal obligation.

Security guard quarters: A home used as the principal residence of a property owner or someone retained by the property owner to patrol the grounds or provide security.

Semi-annual report(ing): A period from January 1 to June 30 and from July 1 to December 31.

Shade tree: A hardwood tree that reaches a minimum height of twenty-five (25) feet at maturity, provides relief from direct sunlight for at least six (6) months each year and is included in the recommended tree list.

Shall: A mandatory condition where the word "shall" is used, the requirement is considered to be mandatory.

Should: An advisory condition where the word "should" is used, the requirement is advisable, recommended, but not mandatory.

Shrub: A multi-stemmed plant with a spread and height characteristic of its species and with a minimum height of two (2) feet when planted.

Sidewalk: The paved portion of a right-of-way specifically designed for pedestrian traffic.

Sidewalk café: An outdoor dining area adjoining a restaurant, located on a public street (which is public through dedication or easement) or public right-of-way that has obtained all necessary city permits to operate and provides waiter or waitress service and contains readily removable tables, chairs or railings, and is open to the air, except that it may have retractable awnings or umbrellas, or other nonpermanent covers.

Sign: Any device, permanent or temporary, which is visible from a public place, including designated roadways as described herein, and which is designed to attract attention to the subject matter of its copy or image shall be deemed to be a sign. Specifically excluded from this definition is works of art as defined in Chapter 4 of this Code. Further, flags or emblems of any nation, state or political subdivision shall not be considered signs. Interior signs, as hereinafter defined, are not

regulated by this chapter.

Sign face: The part of the sign that is or can be used to identify, display, advertise, communicate information, or for visual representation which attracts or intends to attract the attention of the public for any purpose.

Sign number: For the purpose of determining the number of signs, a sign shall be construed to be a single display surface or device containing elements organized, related, and composed to form a single unit. In cases where material is displayed in a random or unconnected manner, or where there is reasonable doubt as to the intended relationship of such components, each component or element shall be considered to be a single sign. A projecting sign, pylon sign, ground sign with sign surface on both sides of such sign shall be construed as a single sign, and the total area of such sign shall be the area computed on a single side of the sign.

Sign structure: Any structure, which is designed specifically for the purpose of supporting a sign, has supported or is capable of supporting a sign. This definition shall include any decorative covers, braces, wires, supports or components attached to or placed around the Sign structure.

Sign surface area: The total area of each sign face which may be used to display copy, including background, but not including the frame and structural supporting elements. The surface area of a sign shall be computed for the entire area within the periphery of a geometric form, or combination of geometric forms. The surface area of the sign shall be measured from the outside edges of the sign or the sign frame, whichever is greater. The sign area shall include the total of a single side of a sign surface upon which copy could be placed. Where a sign is composed of individual letters, characters or symbols applied directly to a building, canopy, marquee, mansard, fascia, facade, parapet, awning, or the area of the sign shall be the smallest geometric shape which will enclose all of the letters, characters or symbols. The area of a double-faced sign shall be the total area of each sign face. (See Diagram 1 [section 20.5-13])

Significant wildlife habitat: Contiguous stands of natural plant communities which have the potential to support healthy and diverse populations of native plants and animals and which have been identified in the City of Tampa's Upland Habitat Protection Map. Areas which have been identified on the Map as Significant Wildlife Habitat may, incidentally, include wetlands as delineated by the Hillsborough County Environmental Protection Commission ("EPC").

Single occupancy parcel: Any parcel which is occupied by a single establishment.

Site: A parcel of property intended to be developed as a single project, including phases.

Site clearing: Any development or other activity which alters the land upon which it is located, except for normal sodding and placement of signs.

Site plan controlled districts: CD-2 or CBD-2 (when site plan approved by city council), PD, PD-A, SH-PD, and YC-9.

Sketch plan: An accurate plan delineating the dimensions of a parcel, the existing structures and the protected trees and grand trees to be removed, relocated, or contributed.

Small subdivision: A subdivision comprised of three (3) or less lots.

Snipe sign: Any sign made of paper or other nondurable material which is attached in any way to a utility, tree, fence post or any other similar object located on public or private property. Any sign

designed to provide warning to the public shall not be construed to be a snipe sign.

Soil moisture sensor: A calibrated device that is designed to measure the quantity of water contained in a material, such as soil on a volumetric or gravimetric basis and override the irrigation cycle of the irrigation system at a pre-determined soil moisture level appropriate to site specific conditions.

Sold signs: Strips of wood or like material or paper affixed to, around or upon real estate sign to indicate that the property being advertised is no longer offered for sale.

Special event: Defined in Chapter 28; or (a) The Gasparilla Parade, the Krewe of the Knights of Sant [sic] Yago Parade, the Gasparilla Distance Classic, the Children's Gasparilla Parade, Guavaween, Fiesta Day, the St. Patrick's Day Parade, the Gasparilla Sidewalk Art Show, Pirate Festival, Freedom Fest (July 4th Celebration) and First Night Tampa Bay; or (b) such other publicly or privately sponsored events of short duration which are determined by city council as qualifying as a "special event" because of the significant positive contribution of the event to the community or because the event is of special economic, social, cultural or historical significance to the community and which event also meets the following criteria:

- (i) The event requires a parade, road festival or block party permit from the city; and
- (ii) The event requires a Maintenance of Traffic Plan, Sanitation Plan and a Solid Waste Plan.

Special event parking or special event parking lot: A vacant lot which has been permitted for use as a parking lot pursuant to section 27-246(k) in connection with: (a) a "special event"; or (b) an event of a temporary nature which requires five (5) or more police officers to handle vehicular and pedestrian traffic associated with the event; or (c) any event occurring at Raymond James Stadium, The Tampa Convention Center or the Ice Palace.

Special restaurant: ~~A~~ restaurant that meets the specific use standards of Article XI in order to process as an S-1 permit.

Specialty shops: Establishments offering a single type, or closely related types, of merchandise oriented toward impulse or discretionary purchase rather than satisfaction of regular or recurring needs. Included in this use type is accessory custom manufacturing which involves the production for on-site sale only of crafts, jewelry or related specialty items. Individual establishments will have relatively small floor areas (generally not more than two thousand (2,000) square feet). Typical uses would include sale of art or craft objects; flower or plant shops; shops offering gifts; novelties, or souvenirs; beachwear stores; and antique shops.

Special use: A use which would not be appropriate generally or without special study throughout the zoning district but which, if controlled as to number, size, location or relation to the neighborhood, would promote the public health, safety and general welfare (see Article XI).

Species of special concern: Faunal species identified in Section 39-27.03-05 FAC which warrant special protection, recognition or considerable because it has an inherent significant vulnerability to habitat modification, environmental alteration, human disturbance, or substantial human exploitation which, in the foreseeable future, may result in its becoming a threatened species; may already meet certain criteria for designation as a threatened species but for which conclusive data are limited or lacking; may occupy such an unusually vital and essential ecological niche that should it decline significantly in numbers or distribution other species would be adversely affected to a significant degree; or has not sufficiently recovered from past population depletion.

Specified anatomical areas:

- (1) Less than completely and opaquely covered:
 - a. Human genitals or pubic region;
 - b. Buttocks;
 - c. Female breasts below a point immediately above the top of the areola.
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities:

- (1) Human genitals in a state of sexual stimulation or arousal;
- (2) Acts of human masturbation, sexual intercourse or sodomy, whether actual or simulated;
- (3) Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

Stockpile, temporary: The short-term storage of soil or earthen products during construction activities of a specific site.

Stop work order: A written notice given to the owner of the property, his agent or the person doing the work or posted at the job site and which provides notice that work is being done contrary to the provisions of this Code and shall immediately cease. It shall state the conditions under which work may be resumed.

Storefront/residential: A building designed to have a storefront occupancy on the first floor facing the street and residential occupancy at the rear of the structure or on the upper floors.

Storefront use shall include:

Commercial: Only those commercial uses identified in the underlying commercial zoning district as a permitted use or a special use. The special use review process and any specified conditions affixed to the approval must be met.

Office: Only this office uses (business or professional or medical) identified in the underlying office zoning district as a permitted use or a special use. The special use review process and any specified conditions affixed to the approval must be met.

~~*Street:* A dedicated and accepted right of way maintained by the city, county or the state and providing access to adjacent property, excluding alleys; or a dedicated right of way maintained by a private property owners association. The primary access, whether public or private, to a lot or parcel of land. Street includes any accessway, such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place or cul-de-sac, and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved and whether public or private, but shall not include those accessways such as easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers and easements for ingress and egress.~~

Streets, arterial: Intended to serve moderate to large traffic volumes travelling relatively long distances. Requirements for speed and level of service are usually quite high. Access to arterials should be well controlled and, in general, limited to collector streets and highways. Arterials are used to surround neighborhoods and connect widely separated rural and suburban communities. The arterial system should form a continuous network designed for a free flow of through traffic.

Streets, collector: Intended to serve as the connecting link for local streets and highways and to provide intra-neighborhood transportation. The traffic characteristics generally consist of relatively short trip lengths and moderate speeds and volumes. Access to collectors should be restricted to local streets and highways and major traffic generators. Collectors should penetrate neighborhoods

without forming a continuous network, thus discouraging through traffic which is better served by arterials.

Street, dead-end: A street with one (1) end permanently closed with no provision for extension.

Street, freeway (highway): A divided arterial street or highway with a minimum of two (2) lanes in each direction. Access to these facilities is completely controlled and is accomplished by special auxiliary lanes. The function of a freeway is to serve large traffic volumes travelling long distances at high speeds. The safety and operational characteristics should be developed to the highest level.

Street frontage: The length of the property line for a single parcel which runs parallel to and along each public right-of-way (exclusive of alleys) it borders.

Street, local: The primary function of a local street or highway is to serve the adjacent property by providing the initial access to the highway network. These facilities are characterized by short trip lengths, low speeds and small traffic volumes. The design of the network should be directed towards eliminating through traffic from these facilities.

Strip shopping center: A commercial mixed use development (two (2) or more business suites) which was designed and constructed, in accordance with the City of Tampa development regulations, for a variety of uses including office, retail and personal service business and these uses are interchangeable. Note that while other uses are commonly found in "strip shopping centers" (such as restaurants, bars and commercial recreational facilities) the zoning district will control which uses are permitted given compliance with code regulations consistent with change of use.

Structural alteration: Any change, except for repair or replacement, in the supporting members of a structure, such as, but not limited to, bearing walls, columns, beams or girders.

Structure: Anything constructed or erected, permanent or portable, including stormwater retention/detention basins and parking lots, which requires location on the ground or attachment to something having a fixed location on the ground, including but not limited to principal and accessory buildings, signs, fences, walls, bridges, monuments, flagpoles, antennas, and transmission poles, towers and cables. For purposes of subdivision, the terms "structure," "improvements" and "utilities" are separately defined.

Structure, accessory: A subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

Structure, principal: A structure or, where the context so indicates, a group of structures in or on which is conducted the principal use of the lot on which such structure is located.

Structured environment: A residential setting within which persons, progressing from relatively intensive treatment for crime, delinquency, mental or emotional illness, alcoholism, drug addiction or similar conditions to full participation in community life, are provided professional staff services, as well as board, lodging, supervision, medication and other treatments.

Subdivider: See "developer."

Subdivision: The platting of real property into three (3) or more lots, parcels, tracts, tiers, blocks, sites, units or any other division of land for the purpose including the establishment of new streets and alleys, additions and re-subdivisions or re-plattings and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.

Subdivision agreement: An agreement between the developer and the city wherein the developer agrees to post performance security prior to final plat approval for any public improvements not yet installed and accepted, to install all improvements in accordance with approved construction drawings and, upon completion of installation, of all improvements, to post defect security warranting the public improvements against defect for a period of thirteen (13) months in consideration for the city's approval of the subdivision final plat and acceptance for maintenance by the city of any public or dedicated improvements. If no improvements are required, this agreement is not necessary.

Subdivision sign: Any sign which is designed to identify a subdivision or neighborhood.

Substantial: Considerable or fairly large in amount or extent.

Sufficient management capability: Sufficient management capability means it is possible to adequately manage and maintain an on-site preservation-site for the long-term continuance of the species or natural plant communities proposed for preservation considering the size and shape of its site, its location, its adjacent and proximate land uses, and the current condition and life history requirements of the species on the site.

Surface water management system: Collection facilities, improvements or natural systems whereby surface waters are collected, controlled, conveyed, impounded or obstructed. The term includes drains, impoundments, reservoirs, appurtenant works and works as defined in F.S. § 373.403(1)—(5).

Survey: The orderly process of determining data relating to the natural, physical or chemical characteristics of the earth and may be further defined according to the type of data obtained, the methods and instruments used, and the purpose to be served. All surveys showing land boundary information must be in accordance with Rule 21HH-6 of the Minimum Technical Standard for Land Surveys in the State of Florida.

Sustainable development: A type of economic revitalization of a defined area that demonstrates a reduction in energy consumption, provision of transportation options, efficient use of land (e.g. reuse of brownfield sites or appropriately scaled, infill mixed-use developments), and respect and integration of the community's history, identity, and ecology, in order to convey a healthy and prosperous environment to future generations.

Tampa Comprehensive Plan: The comprehensive plan for the future development of the city or parts thereof adopted under the provisions of the Local Government Comprehensive Planning and Land Development Regulation Act, F.S. Ch. 163, as amended.

Tampa Historic Register: The official list of locally designated districts, sites, buildings, structures, and objects in Tampa history, architecture, archaeology, engineering, and culture.

Telecommunication carrier: Telecommunication carrier means any person, firm or entity licensed by the FCC to provide personal wireless services and which is in the business of providing the same.

Temporary film production: Still, live or motion picture production whether made on or by film, electronic tape, or any other electronic device used to produce theatrical motion pictures, television entertainment motion pictures, industrial motion pictures, television commercials, or motion pictures designed for internet broadcast, and which production activity is taking place at a location other than a facility regularly operated for the purpose of conducting such film production activity.

Temporary help agency: Any corporation, partnership or business of any kind whatsoever which, for a monetary consideration, is primarily engaged in supplying workers from a pool of potential employees located on its premises and directly dispatches these employees to another corporation, partnership or business of any kind or to a private individual, on a temporary basis, whether the employees are to work a full-time or part-time schedule; provided, however, that this definition shall not apply to agencies which provide professional employees who are licensed and regulated by the state to other businesses on a temporary basis.

Temporary sign: A sign intended to be displayed for not more than thirty (30) consecutive days nor more than sixty (60) days per year, unless otherwise stated herein. Included in this category are retailers' signs temporarily displayed for the purpose of informing the public of a sale or "special" offer and banner signs.

Temporary special event: An event occurring on private property which will be held for no longer than two (2) weeks with the intent of drawing a large group of people such as a fund raiser, carnival and revival. Since events which occur on city property, such as parks and right-of-ways, are required to have approvals by the parks department, public works department and/or police department, depending on the event, such events are not considered temporary special events. Also, the retail sales of seasonal items such as pumpkins, fireworks, and Christmas trees are not a temporary special event.

Temporary waterfront surface parking lots: A principal use surface parking lot located on a waterfront parcel within the Central Business District Waterfront Overlay District, which parking lots are only permitted to operate until May 7, 2000.

Tent: A temporary structure, the covering of which is made of pliable material or tensioned membrane that achieves its support by mechanical means such as beams, columns, poles, arches, ropes and/or cables.

Threatened species: See "Endangered and threatened species."

Tower site: A parcel of land smaller than the minimum lot size of its underlying zoning district completely contained within a legal size zoning lot, for the purpose of locating a communication tower.

Townhouse: A single family dwelling constructed in a series or group of attached units with property lines separating each unit.

Townhouse style: A series or group of dwelling units constructed with only side wall(s) of the units attached.

Trade school: An establishment in which is offered, for compensation, instruction in a trade or craft, including but not limited to carpentry, masonry, metal working, machinery repair and operation, welding, fabrication and the like.

Trail: An area for public use, generally made of a hard surface, linear in shape, and designed for pedestrian, bicycle, and recreational traffic, as recommended in the City of Tampa *Greenways & Trails Master Plan*, as amended.

Transit shelter: A small, roofed structure, having from one (1) to three (3) walls, located near a street and designed primarily for the protection and convenience of transit passengers.

Transportation concurrency exception area or TCEA: All portions of the incorporated area of the City of Tampa located south of Fletcher Avenue as depicted or defined in the Transportation Element of the Tampa Comprehensive Plan. All development within the TCEA is excepted from the City of Tampa's concurrency requirements for transportation.

Transportation service facility: An establishment providing support to the business of circulating people and goods, including such things as bus and train terminals, truck terminals and similar activities.

Trash receptacle: A movable receptacle, suitable for the deposit of trash, located upon a public sidewalk of the city.

Tree: Any self-supporting single-and multi-stem woody plant of a species which grows to at least a height of fifteen (15) feet in the environs of the city and, in addition, all species of Rhizophora mangle (red mangrove), Aguncularia racemosa (white mangrove), Avicennia aerminans (black mangrove) and Conocarpus erecta (buttonwood mangrove), regardless of diameter.

Trellis: A structure of open latticework, especially one used as a support for vines and other creeping plants.

Trimming: To selectively remove branches without irreversibly altering the natural shape or form of a tree and without irreversibly damaging or destroying the tree. Unless specifically allowed by the director in accordance with the standards set forth herein, all trimming of protected or grand trees shall be performed in accordance with the "American National Standard for Tree Care Operations, ANSI, A300-1995, current addition.

Turf or turfgrass: A surface layer of earth containing a dense growth of grass and its roots suitable to Florida.

Understory vegetation: Native plants typical of natural plant communities consisting of the ground vegetation excluding trees five (5) inches DBH and larger.

Unified control: All land included within one (1) application for purpose of development within a site plan zoning district that is owned or under the control of a petitioner for such zoning designation, whether the petitioner be an individual, partnership or corporation, or a group of individuals, partnerships or corporations.

Uniformity (in lighting): Refers to the evenness of the distribution of light on the surface. Uniformity standards have been established by the IESNA.

University: Universities, colleges, theological schools or other institutions of higher learning including buildings owned or leased for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, observatories, heating and power plants, laundries, parking facilities, student and faculty centers, athletic facilities, dormitories, fraternities, sororities and such other facilities normally provided by a college or university. These uses shall not be construed to include trade schools or colleges operated for a profit, or to include uses of any building, stadium, or other facility for commercial purposes other than under jurisdiction of a university or college administration.

Upland: Upland is terrestrial land. Upland does not include wetlands or natural or manmade bodies of water such as lakes, streams, rivers, bays, borrow pits which contain water, canals, and channels.

Urban: Generally refers to an area having the characteristics of a city, with intense development and a wide range of public facilities and services. For purposes of notification distances, urban refers to areas designated by the Comprehensive Plan as being in the Residential-3 category or above (more intense).

Urban development: Development containing mixed uses, areas for the gathering of people with attractors, activities, items of visual interest, and seating areas, and other urban elements, such as pedestrian amenities, works of art and increased landscaping.

Use: The specific function or activity, as described in the Use Table, Article IV, for which land, a building or structure is designated, arranged, intended, occupied or maintained.

Use, accessory: A use on the same lot or in the same structure with and of a nature and extent customarily incidental and subordinate to the principal use of the lot or structure.

Use, principal: The primary use and chief purpose of a lot or structure.

USGBC: Defined as the United States Green Building Council.

Utility: Any community service available to the general public including, but not limited to, electricity, telephone, gas and cable television.

Utility transmission site: The use of land, buildings and/or structures for the aboveground transmission of electric, electronic telephone or other utilities. A utility transmission site shall not be deemed to include a radio/TV transmission site.

Variance: A relaxation by the board of adjustment of the dimensional regulation of this chapter where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship (see Article XIV).

Vehicular display area: Any area of land used exclusively for the outdoor display, storage or sale of any and all types of vehicles, mobile homes, or boats. Unless expressly excluded in the context of its use, "vehicular display area" shall include vehicular storage areas located on the parcel.

Vehicle repair, major: An establishment whose principal use is the service, repair and/or painting of any vehicle such as an automobile, ambulance, boat, farm machinery, motorcycle, motor home, truck or travel trailer.

Vehicle repair, minor: An establishment which provides minor service and maintenance of the ancillary systems of a vehicle including such services as:

- (1) Sales and service of spark plugs, batteries and distributor and ignition system parts;
- (2) Sales, service and repair of tires, but not recapping or regrooving;
- (3) Replacement of mufflers, tailpipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and blades, grease retainers, wheel bearings, mirrors and the like;
- (4) Radiator cleaning, flushing and fluid replacement;
- (5) Washing and polishing and sale of automotive washing and polishing supplies;
- (6) Greasing and lubrication;
- (7) Providing and repairing fuel pumps, oil pumps and lines;
- (8) Minor adjustment and repair of carburetors;
- (9) Emergency repair of wiring;

- (10) Minor motor adjustment not involving removal of the head or crankcase;
- (11) Warranty maintenance and safety inspections.

Vehicle sales and leasing: Any establishment which engages in or whose principle activity is the buying, selling, renting, auctioning or brokering of vehicles such as automobiles, boats, planes, RV's, aircraft, construction equipment, motor homes, trucks, motorcycles or any other similar device.

Vehicle sign: Any sign erected upon a vehicle wherein the principle purpose of the vehicle is not general transportation, but merely the support of the sign itself. Signs mounted upon taxis, buses or other modes of general public transportation when in the course of their normal service are excluded from this definition.

Vehicular storage area: Any area of a vehicular display area which is used exclusively for the outdoor storage of any and all types of vehicles, mobile homes or boats and which is not accessible by or open to the public and which is not easily visible from the public right-of-way or from another parcel. "Vehicular storage areas" shall not include carports on a parcel for single-family and two-family dwellings.

Vehicular use area: Any area used for the outdoor parking or circulation of domestic or commercial vehicles and cargo handling equipment. Unless expressly excluded in the context of its use, "vehicular use area" shall include loading docks and accessways located on the parcel, except for accessways on parcels for single-and two-family dwellings.

Vending machine: A self-service device that, upon insertion of various forms of currency, dispenses unit servings of food items or other goods directly to consumers.

Vendor: Any person who sells by peddling or offering for sale by soliciting or displaying any food items, beverages, wares, or any other item of merchandise or service on private property from a temporary or mobile structure.

Vendor market: An open air market designed and constructed as a permanent structure with a fixed location on or in the ground in which vendors may erect or locate carts, booths, stalls, tables, stations, etc.

Vendor site: The area owned or leased by or licensed to the vendor for its use.

Veterinary office: An establishment used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals, and those animals in need of medical or surgical attention.

Vine: Any ornamental plant requiring physical support to grow upwards.

Vocational school: An establishment in which is offered, for compensation, instruction in a vocation such as but not limited to barbering, cosmetology, hair styling, bartending and interior decorating.

Walkway, covered ("breezeway"): A covered passage, open on the sides, designed to connect two (2) buildings and typically only as wide as the entrance/exit of said buildings.

Wall sign: A sign which is attached to or erected against the wall of a building with its face in a parallel plane to the plane of the building facade or wall. This definition shall include the painting of a sign on a wall surface.

Warehouse: An establishment whose principal use is the bulk storage of merchandise, products or

materials for a fee or charge or for distribution to other locations operated by the same business or establishment. A warehouse may include accessory wholesale sales, but shall not include retail sales, or mini-warehouses.

Warehouse, mini: Any building designed, arranged or used exclusively for the storage of excess personal or business property when such is not located on the same lot as the primary residence or office, except if such use is in the Channel District.

Warning sign: Any sign which is designed to provide public notice of a clear and present danger to public health, safety and welfare.

Water transport: For purposes of Sec. 27-107.11 (old 27-457.3) the Channel District, the term "water transport" shall have the following definition:

An area of land or water which is used for activities related to freight and passenger transportation on the open seas, inland waters or waterways; marine cargo handling operations; cargo loading and unloading; ship docking; the use, operation and maintenance of piers, channels, anchorage areas, jettys, breakwaters, harbors, canals, locks, waterways, tidal and turning basins; wharves, berths, docks, piers, quays, slips, bulkheads, public landings, terminal storage and shedding facilities; warehouses, storage, refrigeration, cold storage and quick freezing plants; stockyards; elevators; shipyards; marine railways; dry docks; marine service, maintenance, and repair facilities; laying up of ships, including refueling; ship repair, including dry dock facilities; fuel storage and transmission facilities; pipelines; terminal railway facilities, including rolling stock, belt-line railroad ferries and car ferries; police boats; bridges; causeways; terminals; cruise ship facilities; facilities for the loading and handling of passengers, mail, express freight and other cargo; administrative offices; and other uses compatible with water transportation.

Waterfront building setback: An area along the water's edge reserved for pedestrian access to and along the waterfront.

Waterfront overlay district: An area within the central business district along the waterfront, generally described as an area bounded on the north beginning at the Hillsborough River and extending east along Fortune Street to McInnes; thence southerly along McInnes to Tyler Street; thence easterly along Tyler to Ashley Street; thence southerly along Ashley Street to Platt Street; thence easterly along Platt Street to Franklin Street; then southerly along Franklin Street to South Ashley Drive; thence easterly along South Ashley Drive to Beneficial Boulevard; thence southerly along Beneficial Boulevard to the Garrison Channel; thence westerly along the Garrison Channel to the Hillsborough River; thence northerly along the Hillsborough River to the intersection of Fortune Street and Doyle Carlton Drive and more particularly described in the CBD land use policy plan.

Wetland: Land that is inundated or saturated by surface or ground water in years of normal water conditions that falls under the jurisdiction of one (1) or more of the following agencies: the Florida Department of Environmental Protection, the U.S. Army Corps of Engineers, the Southwest Florida Water Management District, the Hillsborough County Environmental Protection Commission, and the Tampa Port Authority.

Wholesale sales: The sale of goods, merchandise and commodities in gross, primarily for purposes of resale of these items. Wholesale sales are generally sold to retailers rather than directly to the consumer, or the products may be sold to industrial or institutional customers.

Wholesale trade: An establishment whose principal use is the conduct of wholesale sales. Wholesale

trade shall not be deemed to include a warehouse or retail sales.

Window sign. A window sign is one that lets light or air through to the habitable part of the building and which is painted on, attached to or visible through a window excluding displays of merchandise.

Wine production, customized: The use in which the principal purpose is the customized production of wine, including the sale of grape juice varieties for retail purchase, instruction on fermentation processes, fermentation, bottling for individual retail sales and retail sales of accessories. The maximum size facility is three thousand (3,000) square feet. The intensity of this use does not permit use of assembly lines or a wholesale distribution of the wine product.

Winery: An establishment whose principal purpose is the fermentation, aging, bottling and distribution of wine as defined by the statutes of the state and which includes accessory uses that are tourist-oriented, such as tours of the winery, retail sales of wine and related food products.

Wireless telecommunication antenna: All of the interconnected apparatus of a single telecommunication carrier used for the purpose of radiating or receiving radio waves.

Wooded land: A parcel greater than one (1) acre, fifty (50) percent of which is covered by native tree canopy and/or forested native plant communities, exclusive of wetlands.

Workplan: List of properties identified by the historic preservation commission for their architectural or historical significance for further study and investigation and possible designation.

Xeric oak scrub: (See "Sand pine scrub").

Xeric habitats: Xeric habitats are those in which there is a deficiency in available moisture for the support of life. Xeric habitats occur as very dry, nearly level to hilly uplands on deep, moderately well to excessively drained sandy soils, and support a diverse assemblage of xeric-adapted plants and animals. Xeric habitats occurring in Hillsborough County and the City of Tampa include sand pine scrub, xeric oak scrub, sandhills, xeric hammocks and scrubby flatwoods.

Xeric hammock: Xeric hammocks are characterized by live oaks occurring on a well-drained, deep sand substrata. The soils are similar to those of the sand pine scrub and sandhills, except that a small amount of humus is found in the upper layer of the xeric hammock community due to the thicker vegetation and the absence of fire. Other trees often present include turkey oak, bluejack oak, Chapman's oak, myrtle oak, black cherry and cabbage palm. The scrub layer includes sparkleberry, American beautyberry, yaupon and saw palmetto. Herbaceous ground cover is sparse, but numerous species of climbing vines are present, including greenbriar, grape and Virginia creeper. Representative soils: Pomelo, Archbold, Lake, Candler and Orsino.

Xeric oak scrub: (See "Sand pine scrub").

Xeriscape™ or Florida Friendly Landscape (as provided for in F.S. § 166.048): Quality landscapes that conserve water, protect the environment, are adaptable to local conditions, and which are drought tolerant. The principles of Xeriscape™ include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

Yard: An open space unoccupied and unobstructed by any structure or portion of a structure from thirty-six (36) inches above the general ground level of the graded lot upward (except as otherwise

provided by these regulations); provided, however, that all of the following are requirements are met:

- (i) Fences and walls may be permitted in any yard subject to height limitations established herein; and
- (ii) A porch designed as covered front entrance to a structure may project into a front yard as provided in section 27-98; and
- (iii) Poles, posts and other customary yard accessories, ornaments and furniture shall be permitted in any required yard, if they do not constitute substantial impediments to free flow of light and air across the yard to adjoining properties.

Yard, corner: A yard extending adjacent to a street which is not considered the front yard.

Yard, front: A yard extending between the side lot lines across the portion of a lot adjacent to a street. On corner lots, the front yard shall be provided facing the street on which each lot of record or lots of record involved have their lesser dimension, except that for corner lots abutting the portion of Bayshore Boulevard between Gandy Boulevard and Platt Street, front yards and front yard setbacks shall also be provided abutting the aforementioned portion of Bayshore Boulevard because of its unique aesthetic, historic and scenic importance. Where the corner lot abutting the aforementioned portion of Bayshore also abuts another street with a historical pattern of front yard orientation, development shall follow the historical pattern of both streets without one street or the other being administratively selected as the front.

Yard, rear: A yard extending across the rear of a lot between the side yard lines. The rear yard shall be at the opposite end of the lot from the front yard, excepting in the case of through lots and waterfront lots.

Yard, side: A yard extending along the side of a lot between the rear line of the front yard and the rear lot line.

Yard, waterfront: A yard required on waterfront property which is defined as property abutting on open water, bays, bayous, lakes over five (5) acres in area, manmade canals and similar navigable waterways.

Zig-zagged: A line or course that proceeds by sharp turns.