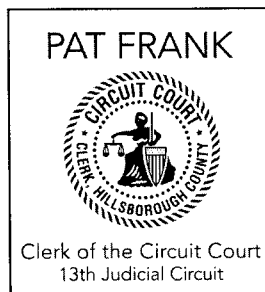


ORDINANCE

13-23



September 5, 2013

Norma J. Wise, Director
Hillsborough County Law Library
501 E. Kennedy Boulevard Ste. 100
Tampa, Florida 33602-5027

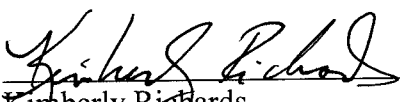
Re: Ordinance #13-23
Amending the Hillsborough County Construction Code Ordinance 01-33, as Amended

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #13-23 which was adopted by the Board of County Commissioners on August 21, 2013. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of August 23, 2013.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,


Kimberly Richards,
Associate Director, BOCC Records/VAB

sbg

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation
Debra A. Cole, Hillsborough County Sheriff's Office
Aracelis Chapman, Library Services
Cameron S. Clark, Assistant County Attorney
Paige Ward, County Attorney's Office
Wayne Francis, Building Official, Building & Construction, Development Services
Nancy Milam, County Attorney's Office
Sharon Sweet, BOCC Records



Agenda Item Cover Sheet

Agenda Item N^o. D-4

Meeting Date August 21, 2013

☐ Consent Section

☐ Regular Section

☒ Public Hearing

Subject:

Public Hearing to consider an Ordinance amending the Hillsborough County Construction Code, Ordinance 01-33, as amended.

Department Name: County Attorney's Office

Contact Person: Cameron S. Clark

Contact Phone: 307-3143

Sign-Off Approvals:

Susan Fernandez

08/07/2013

Managing County Attorney

Date

Charles Fletcher

08/07/2013

County Attorney

Date

NA

Joint Department Director

Date

Tom Fesler

08/08/2013

Management and Budget - Approved as to Financial Impact Accuracy

Date

Cameron Clark

08/07/2013

Assistant County Attorney

Date

Staff's Recommended Board Motion:

Conduct a public hearing and adopt an Ordinance amending the Hillsborough County Construction Code, Ordinance 01-33, as amended. Adoption of this amendment will maintain compliance with the 2010 Florida Building Code and minimal requirements associated with the National Flood Insurance Program.

This action does not increase or decrease any County Departmental budgets. There are no operating costs associated with this item.

Financial Impact Statement:

This action does not increase or decrease any County Departmental budgets. There are no operating costs associated with this item.

Background:

The Board of County Commissioners adopted the Hillsborough County Construction Code, Ordinance 01-33 (Construction Code), in 2001, and has amended it periodically. Included within the Construction Code are floodplain management regulations that intersect with regulations contained in the Florida Building Code and the federal National Flood Insurance Program. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the National Flood

Beckner/Crist 5 to 0
Higginbotham/Miller out

ORD# 13-23

Insurance Program (NFIP) are required to adopt and enforce floodplain management regulations that meet or exceed minimum NFIP criteria. These criteria are the minimum and do not supersede any state or local requirements of a more stringent nature.

A recent modification to the federal Flood Insurance Rate Map (FIRM) expedited a review of the Hillsborough County Construction Code by the Federal Emergency Management Agency (FEMA) and the Florida Division of Emergency Management (DEM). As a result of the updates to the FIRM, Hillsborough County is being required to amend the floodplain management provisions of its Construction Code by September 27, 2013. If the required amendments are not adopted, FEMA may deem Hillsborough County not in compliance with the minimum standards associated with the NFIP, which would affect the issuance of federal flood insurance policies within unincorporated Hillsborough County.

Subsequent to this adoption hearing, FEMA will perform one final review to verify compliance with minimum standards, as recommended by DEM.

List Attachments:

List Attachments: Letter from FEMA to BoCC Chair; Draft Ordinance

ORDINANCE 13- 23

AN ORDINANCE AMENDING THE HILLSBOROUGH COUNTY CONSTRUCTION CODE, ORDINANCE 01-33, AS AMENDED; AMENDING VARIOUS SECTIONS IN CHAPTER 1, RELATING TO FLOODPLAIN MANAGEMENT; AMENDING VARIOUS SECTIONS IN CHAPTER 3, RELATING TO FLOOD DAMAGE CONTROL REGULATIONS; AMENDING VARIOUS DEFINITIONS IN CHAPTER 4; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Hillsborough County is required, pursuant to the terms contained in Chapter 553, Florida Statutes, to adopt and enforce building, housing, and related technical codes; and

WHEREAS, the Board of County Commissioners of Hillsborough County is empowered pursuant to the terms contained in Chapter 125, Florida Statutes, as amended, to adopt by reference or in full, and enforce building, housing, and related technical codes and regulations; and

WHEREAS, the Florida Building Code Act of 1998 directed the Florida Building Commission to establish a statewide uniform building code known as the Florida Building Code; and

WHEREAS, the Florida Building Code became effective throughout the State of Florida on March 1, 2002; and

WHEREAS, the enforcement of the Florida Building Code is the responsibility of local governments; and

WHEREAS, in accordance with these responsibilities, the Board of County Commissioners adopted the Hillsborough County Construction Code, Ordinance 01-33 (Ordinance), and have periodically amended said Code; and

WHEREAS, the enforcement of Hillsborough County's participation with the minimum requirements of the National Flood Insurance Program to ensure local availability of Federal flood insurance is the responsibility of the Board of County Commissioners and is enforced through construction standards identified within the Florida Building Code and Chapter 3 of this Ordinance; and

WHEREAS, as a result of updates to the federal Flood Insurance Rate Map, Hillsborough County is required to amend the floodplain management provisions of this Ordinance in order to ensure compliance with the minimum standards associated with the National Flood Insurance Program; and

WHEREAS, the Board of County Commissioners of Hillsborough County finds that the adoption of this Ordinance will promote public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN ITS REGULAR MEETING THIS 21st DAY OF AUGUST, 2013:

- Section 1. Hillsborough County Construction Code, Ordinance 01-33, as amended, is hereby amended as set forth in Exhibit "A".
- Section 2. If any section, paragraph, phrase, or word of this ordinance is for any reason held to be unconstitutional or invalid, such holding shall not affect the remaining portions hereof and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional or invalid part.
- Section 3. This Ordinance will become effective date upon filing with the Department of State.

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

I, PAT FRANK, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an ordinance adopted by the Board at a duly noticed public hearing held on August 21, 2013, as the same appears of record in Minute Book 447 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day of August, 2013.

PAT FRANK, CLERK OF CIRCUIT COURT

By: Beverly Anne Miller
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY [Signature]

Approved as to Form and Legal Sufficiency



EXHIBIT “A”

CHAPTER 1

...

- 101.2 Scope.** The provisions of this ordinance shall govern the administration and enforcement of the Florida Building Code, and all specific volumes and standards contained therein, which establishes the technical standards that shall apply to buildings, structures, equipment, appliances, fixtures, fittings or appurtenances used, as well as to the method of construction, installation, alteration, repair, removal, enlargement, replacement, or connection to any system and the equipment usage, occupancy, locating, maintenance and demolition of every building or structure and any appurtenances or systems connected or attached to such buildings or structures in unincorporated Hillsborough County.

~~Exceptions: In addition with compliance of this code, (1) detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the Florida Building Code, Residential, and (2) existing buildings undergoing repair, alterations or additions and change of occupancy shall comply with Chapter 34 of the Florida Building Code.~~

...

- 101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.911 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

...

101.4.10 Residential. The provisions of the Florida Building Code, Residential shall apply to the construction, installation, alteration, repair, removal, enlargement, replacement or connection to any system and the equipment usage, occupancy, locating, maintenance of detached one-and-two-family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures.

101.4.11 Existing Building. Existing buildings undergoing repair, alterations, or additions and change of occupancy shall comply with Chapter 34 of the Florida Building Code, Building.

...

SECTION 102 APPLICABILITY

...

- 102.2 Building.** The provisions of the Florida Building and Florida Residential Codes, including Appendices, shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the Florida Existing Building Code.

The following buildings, structures, and facilities are exempt from the Florida Building Code – Building, and the Florida Residential Code as provided by law, but not exempt from Chapter 3 of this Code, and any future exemptions shall be as determined by the legislature and provided by law:

- (a) Building and structures specifically regulated and preempted by the Federal Government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Non-residential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.
- (e) Mobile homes or modular structures used as temporary offices, except that the provisions of part V (ss. 553.501-553.513, FLORIDA STATUTES) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures.
- (f) Those structures or facilities of electric utilities, as defined in s. 366.02, Florida Statutes, which are directly involved in the generation, transmission, or distribution of electricity.
- (g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Chickees constructed by the Miccosukee Tribe of Indians or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.
- (i) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (j) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- (k) Building or structure having less than 1,000 square feet, which is constructed and owned by a natural person for hunting, and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building structure:
 - (1) is not rented, leased, or used as a principal residence; and
 - (2) is not located within the 100-year floodplain, according to the Federal Emergency Management Agency's current Flood Insurance Rate Map; and
 - (3) is not connected to an offsite electric power or water supply.

...

SECTION 107 DRAWINGS AND SPECIFICATIONS

...

107.3 Examination of documents.

...

107.3.5 Minimum plan review criteria for buildings. The examination of the documents by the building official shall include the following minimum criteria and documents: a floor plan, site plan, foundation plan, floor/roof framing plan or truss layout and all exterior elevations:

Commercial Buildings:

...

Building

...

14. Floodplain Management

- base-flood (BFE) and ~~finished-lowest~~ floor elevations shown
- Floodproofing certificate by design professional if ~~finished-lowest~~ floor is below the base-flood elevation
- No Rise Certification if within the regulatory floodway

...

Velocity Zone (additional requirements)

- soil-boring and load-bearing analysis
- wave deflection analysis for obstructions below BFE (see Chapter 3 of this Code)
- ~~no living area below the design-flood elevation (DFE) designed for only parking of vehicles, building access, or storage~~
- area below the DFE void of appliances
- lowest horizontal member above design-flood elevation
- break-away walls or lattice work below lowest horizontal member ~~(no sheer walls below DFE)~~
- enclosed area below the DFE not climate controlled
- ~~no grade beams below DFE~~
- no fill for structural support
- no partitioned rooms below the DFE
- riser diagram for exterior appliances and equipment showing equipment is secured and properly elevated

...

Residential (One- and Two-Family): Building

...

8. Floodplain Management

- ~~no living area/finished floor below the design-flood elevation (DFE)~~ lowest floor at or above the required elevation
- base-flood (BFE) and ~~finished lowest~~ floor elevations shown
- No Rise Certification if within the regulatory floodway
- manufacture's certification of the use of flood-resistant materials
- hydrostatic vents if required, minimum of two openings (1 sq in/1 sq ft exposed area); unless, the size of openings have been engineered based upon the rate of rise of floodwater for the source of flooding for the site
- foundation shown to anchor against flotation and protected against other hydrostatic forces
- foundation shown to be protected against hydrodynamic force if within the Floodway or Velocity Zone
- non-partitioned space below the BFE
- no appliances below DFE
- enclosed area below the DFE not climate controlled
- riser diagram for exterior appliances and equipment showing equipment is above DFE
- utility supply systems certified to be flood resistant or placed above the design-flood elevation
- sanitary sewerage and potable water systems designed to minimize infiltration of flood waters
- mechanical venting (e.g. below slab for ranges and/or dryers) have the exterior exit opening above DFE
- elevation certificate or survey with lowest floor at job site (for new construction) before slab/prior to framing inspection

Velocity Zone (additional requirements)

- soil-boring and load-bearing analysis

- wave deflection analysis for obstructions below BFE (see Chapter 3 of this Code)
 - lowest horizontal member above design-flood elevation
 - break-away walls or lattice work below lowest horizontal member ~~(no sheer walls below DFE; except as provided for within Chapter 3 of this Code)~~
 - enclosed area below the DFE not climate controlled
 - no grade beams below DFE; unless, shown to be below the scour line pursuant to FEMA standards
 - no fill for structural support
 - no partitioned rooms below the DFE
 - riser diagram for exterior appliances and equipment showing equipment is secured and properly elevated
9. Impact resistant coverings or systems.

Manufactured / Mobile Homes

1. Site requirements
 - setback/separation (assumed property lines)
 - location of septic tanks
 - lot grading
2. Structural
 - wind zone
 - anchoring
 - blocking
3. Mechanical
 - Exhaust systems
 - ✓ clothes dryer exhaust
 - ✓ kitchen equipment exhaust
4. Electrical
 - exterior disconnect location
5. Design floor elevation and, as applicable, minimum plan review criteria for floodplain management specified for Residential.

...

107.6 Affidavits

107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Section 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the *Florida Building Code*.

...

SECTION 110 INSPECTIONS

...

110.3 Required inspections. The building official upon notification from the permit holder or his agent shall make the following minimum inspections, and shall either release that portion of the construction or shall notify the permit holder or his agent of any violations that must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

Building

1. Foundation inspection. To be made after trenches are excavated and forms erected and shall at a minimum include the following building components:

- stem-wall
- monolithic slab-on-grade
- piling/pile caps
- footers/grade beams

A foundation survey prepared and certified by a registered surveyor shall be required for all new construction prior to approval of the framing inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions, identification of the flood zone, base flood elevation, and elevation for the lowest finished floor, and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line makers and string up all property lines in preparation for inspection. The foundation survey may be required prior to the foundation inspection if there is reason to believe the required setbacks are not being met.

...

SECTION 113 CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

...

113.4.2 Variances. The appropriate Board of Adjustments, Appeals, and Examiners, when so appealed to and after a hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:

1. The special conditions and circumstances exist which are peculiar to the building, structure, service system, or individual involved and which are not applicable to others.
2. That the special conditions and circumstances do not result from the action or inaction of the applicant.
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures, service systems, or individuals.
4. That the variance granted is the minimum variance that will resolve the issue.
5. That the granting of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety, and general welfare.
6. If within special flood-hazard areas, that granting the variance also meets the requirements of section 301.3.9 of this Ordinance.

113.4.2.1 Conditions of the Variance. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Violation of the conditions of a variance shall be deemed a violation of this code.

113.4.2.2 Variances in Flood Hazard Areas. In addition to the requirements of this section, pursuant to section 553.73(5), Florida Statutes, the variance procedures contained in section 301.3.9 of this ordinance shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building*; or, as applicable, the provisions of R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.

...
SECTION 114
VIOLATIONS AND PENALTIES

114.2 **Civil Action**

114.2.1 **Penalties.** The Building Official may issue a code enforcement citation to any person, firm or corporation believed to be in violation of any provision of this code. The activity and/or condition for which a citation is issued shall cease and/or be rectified upon receipt of the citation. A person, firm or corporation cited for a code violation is deemed to be charged with a noncriminal infraction of this code. Noncriminal infractions of this code carry the following civil penalty:

A fine of up to \$500.00 for each violation.

- ...
- c. Flood Damage Control Violations(s). If the violation(s) is to the Flood Damage Control Regulations, Chapter 3 of this code, or the flood provisions of the *Florida Building Code*, the Building Official or the Flood Damage Control Administrator may take action as cited within Chapter 3 of this Code. Such action may include having a request made to the Federal Emergency Management Agency (FEMA) to remove the respective property's eligibility of receiving benefits through the Federal Flood Insurance and disaster assistance programs.
- ...

CHAPTER 3
FLOOD DAMAGE CONTROL REGULATIONS

301.1 General Provisions

301.1.3 **Basis for Establishing the Areas of Special Flood Hazard.** Areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for ~~unincorporated Hillsborough County and incorporated areas,~~ with an effective date of ~~June 18, 1980~~ August 28, 2008, including subsequent updates thereto, with the accompanying maps and other supporting data, are hereby adopted by reference and declared to be a part of this Chapter.

301.1.5 **Compliance.** ~~No structure-new construction or substantial improvements shall hereafter be located, extended, converted, or structurally altered, and no new development shall be undertaken, without full compliance with the requirements of this Chapter, Chapter 44 Part 60.3, Codes of Federal Regulations (National Flood Insurance Program) and the applicable requirements of the Florida Building Code, and other applicable laws and regulations, including but not limited to Section 404 of the Federal Water Pollution Control Act of 1972, 22 U.S.C. 1334. New construction and substantial improvement of buildings, structures and facilities that are exempt from the Florida Building Code are subject to the requirements of this Chapter.~~ Failure to comply with the requirements of Chapter 3

shall provide cause to have an alleged violation forwarded to the Flood Damage Control Board for action, which may include providing authority to the Building Official or the Flood Damage Control Administrator to request the Federal Emergency Management Agency remove availability of Federal flood insurance for the subject property.

...

301.1.11 Purpose. It is the purpose of this Code to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Maintain Hillsborough County's participation with the National Flood Insurance Program to ensure residents and business owners can obtain Federal flood insurance;
3. Protect structures by having ~~finished~~ lowest floors, where appropriate, elevated at or above the design-flood elevation unless the structure ~~may benefit from~~ complies with the requirements for dry floodproofing;
4. Minimize expenditure of public money for costly flood control projects;
5. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
6. minimize prolonged business interruptions;
7. minimize damage to public facilities utilities such as water and gas mains, electric, telephone and sewer lines, roadways, and bridges and culverts located in floodplains;
8. help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;
9. ensure that potential homebuyers are notified that property is in a flood hazard area;
10. to ensure property owners and contractors have information available regarding vertical elevation requirements and the ability to build to an elevation to provide benefits under the National Flood Insurance Program; and
11. ensure property owners are aware that Federal flood insurance is not available or structures built or substantially improved within an area designed as a Coastal Barrier Resources System pursuant to the Coastal Barrier Improvement Act of 1990 (Public Law 101-591).

301.1.12 Methods of Reducing Flood Losses. In order to accomplish its purpose, this Code includes methods and provisions for:

1. reviewing applications to determine whether proposed development will be reasonably safe from flooding;
- ~~1.2.~~ restricting or prohibiting uses that are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- ~~2.3.~~ requiring that uses vulnerable to floods including facilities that serve such uses be protected against flood damage throughout their intended life;
- ~~3.4.~~ controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- ~~4.5.~~ controlling filling, grading, dredging, and other development that may increase flood damage; and
- ~~5.6.~~ preventing or regulating the construction of flood barriers that will unnaturally divert flood waters or may increase flood hazards or adverse flooding impacts to other lands.

301.2 Standards and Criteria

...

301.2.2 General Standards. In all areas of special flood hazards, all of the following provisions are required:

1. ~~All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.~~ New construction and substantial improvement of buildings, structures and facilities exempt from the Florida Building Code shall comply with ASCE 24, Flood Resistant Design and Construction, and Chapter 3.
2. ~~Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. This standard shall be in addition to, and consistent with, applicable state requirements for resisting wind forces and be accepted by the FEMA as in compliance with the NFIP.~~
3. ~~All new construction and substantial improvements, if permitted, shall be constructed with materials and utility elements certified, or listed by FEMA or some other Federal government approving authority, resistant to flood damage.~~
4. ~~All new construction and substantial improvements, if permitted, shall be constructed by methods and practices that minimize flood damage.~~
52. All new and replacement utility supply systems shall be designed to prevent contamination or damage by flood waters.
63. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and to prevent damage to treatment plant equipment by flood waters, and on-site waste disposal systems shall be located to avoid impairment or contamination during flooding.
7. ~~Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and located so as to prevent water from entering or accumulating within the components during conditions of flooding.~~
8. ~~Any alteration, repair, reconstruction, or improvements to a building outside of the pre-FIRM structure's footprint shall meet the requirements of "post-FIRM construction" as contained in this Chapter.~~
9. ~~All new construction and substantial improvements shall meet the requirements of "post-FIRM construction" as contained in this Chapter.~~
104. Any alteration, repair, addition, reconstruction or improvements to a building shall have a Substantial Improvement Worksheet completed and submitted with construction plans for review and recording with the permit application.
11. ~~New construction and substantial improvement to a structure, when located in multiple flood zones or in flood zones with multiple base flood elevations, shall meet the requirements for the flood zone with the most stringent requirements.~~
12. ~~Elevation Certificates are required for construction within the Special Flood and Coastal High Hazard Areas where verification of floor elevation(s) and/or hydrostatic vent placement and area is required. Structures requiring an Elevation Certificate include:~~
 - a. ~~New construction or manufactured home placement or replacement.~~
 - b. ~~Substantially improved structures or manufactured homes.~~
 - c. ~~Modification of post-FIRM storage areas into non-storage areas.~~
 - d. ~~Determination of compliance of a structure, building, mobile/manufactured home, and certain types of equipment under the County's participation with the National Flood Insurance Program.~~

301.2.3 Specific Standards (Zone A). Within Zones A, A1-30, AO, AH, and AE of the special flood hazard area where base flood elevation data is provided, all of the following provisions shall apply and shall have elevations and hydrostatic vent requirements verified through the submittal of a sealed Elevation Certificate by a registered land surveyor:

1. Residential Structures:
 - a. All new construction or substantial improvement of any residential structure within Zones A1-30, AH, AO, and AE (including substantially damaged manufactured homes) shall have the lowest floor (including basement), together with attendant utility systems, elevated to the design flood elevation. If the approved lot grading elevation is below the current effective

- base flood elevation, the design flood elevation will be used instead of the approved lot grading elevation; otherwise, the approved lot grading elevation shall be used.
- b. New construction or substantial improvement to an existing residential structure built prior to March 1, 2002, within Zones A, A1-30, AH, AO, and AE and constructed to, or above, the base flood elevation that is in effect, but is below the design flood elevation, may be built to, or above, together with attendant utility systems, the effective base flood elevation.
 - e. Any alteration, repair, reconstruction or improvements to a pre-FIRM building within Zones A, A1-30, AH, AO, and AE and constructed to, or above, the base flood elevation that is in effect, but is below the design flood elevation, may be built to or above, together with attendant utility systems, the effective base flood elevation.
 - d. All new construction and substantial improvements of residential structures within AO Zone shall have the lowest floor (including basement), together with attendant utility systems, elevated to, or above, the highest adjacent grade and at least as high as the depth number specified in feet on the FIRM (if no depth specified on the FIRM, then the minimum elevation requirement is at least two and one-half feet (2 ½) above the highest adjacent grade).
2. Historic structures may be exempt in part, or in full, from the requirements under this paragraph to insure that alteration of an "historic structure" shall not preclude the structure's continued designation as an "historic structure" as defined within of this Code.
3. Construction performed by an owner-agent permit applicant shall have a sealed Elevation Certificate for a building under construction submitted before approval of the slab inspection. Further approvals will not be granted unless the lowest floor meets the design flood elevation requirement.
- 1. Within Zones A, A1-30, AE, AO, AH on the FIRM, adequate drainage paths around structures on slopes shall be provided to guide floodwaters around and away from proposed structures and shall be conducted pursuant to an approved plan or as otherwise approved by the County Engineer or designee.
 - 2. The elevation requirements of Section R322 of the Florida Building Code, Residential and Section 1612.4 of the Florida Building Code Building, by reference to ASCE 24, apply except:
 - a. For new construction and substantial improvement of buildings that were permitted on or after March 1, 2002, the minimum required elevation shall be at or above the current-effective base flood elevation plus 6 inches.
 - b. For additions to existing buildings permitted before March 1, 2002 and that meet current elevation requirements, the minimum required elevation shall be at or above the current-effective elevation.
- 4.3. Nonresidential Structures.
- a. All new construction or substantial improvement of nonresidential structures, shall either have the lowest floor, including basement, elevated to the design flood elevation or may be flood-proofed in lieu of being elevated provided that, together with attendant utility and sanitary facilities, it is designed to be protected from flooding at a minimum of one foot above the design flood elevation; whereby, the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A design professional shall certify that the standards of this subsection are satisfied. A Floodproofing Certificate from the Federal Emergency Management Agency shall be In addition to the requirements of the Florida Building Code, the elevation shall include adding six (6) inches to the minimum elevation requirement identified within ASCE 24-05 for dry floodproofed nonresidential buildings, and the construction documents for respective buildings shall include a Floodproofing Certificate that is prepared and submitted along with a corresponding operational and maintenance plan that is also maintained on the premise of the structure. On an annual basis following the issuance of a certificate of occupancy, a report shall be

provided by the property owner or designee that identifies verification of components of said certification remain in compliance with this Code or maintenance has been conducted to maintain compliance with this Code. Following receipt of the report, the property owner or designee will request a site inspection to verify workability of said components.

b. ~~All new construction and substantial improvements of nonresidential structures within Zone AO shall:~~

- ~~(i) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two and one-half feet (2 ½), which includes the freeboard requirement, if no depth number is specified on a Hillsborough County flood determination form); or~~
- ~~together with attendant utility and sanitary facilities, be completely floodproofed to that level to meet the floodproofing standard specified in paragraph (4)(a) of this Section.~~

5. ~~New and substantially improved storage areas, areas used as crawl spaces, and areas beneath the lowest floor elevation shall (for such structures within the designated Velocity Zones, refer to Section 12 of this Chapter):~~

a. ~~Be usable solely for parking of vehicles, building access, or storage in an area other than a basement, void of utilities unless utilities are placed above the design flood elevation and use is incidental to the purpose of the storage area, electrical is the minimum required to operate entry access lighting that is connected through a ground-fault interrupt breaker, and shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a design professional and have the certification and background material submitted for recording; and~~

b. ~~Meet, or exceed, the following minimum criteria:~~

- ~~(i) provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding or provide a minimum of two openings with alterations only to the size of opening based upon the rate of rise of floodwater for the source of flooding for the area subject to flooding;~~
- ~~(ii) the bottom of all openings shall be no higher than one foot above grade where the interior grade is at the same elevation as the exterior grade or below;~~
- ~~(iii) where the height of all openings is greater than one foot in elevation above the interior grade, the number of hydrostatic vents and amount of hydrostatic openings must be documented in the comments section of a sealed Elevation Certificate completed by a licensed surveyor; and~~
- ~~(iv) openings may be equipped with screens, louvers, valves, or other coverings or devices provided they provide the required net area of the openings and permit the automatic entry and exit of floodwaters;~~

c. ~~Where structures are used solely as an enclosure that is in whole or in part self-supporting, the enclosure is to have walls of insect screening with or without removable vinyl or acrylic wind-break panels and a roof of insect screening, plastic, aluminum or similar lightweight material. Such space shall not be partitioned into multiple rooms, and not be temperature-controlled; and~~

d. ~~Where structures are elevated to be above the design flood elevation with space below the finished floor, an affidavit shall be submitted with the permit application that acknowledges the prohibition of the conversion of the area below the lowest floor to a use or dimension contrary to the building's approved design unless subsequently approved under this Code. The permit application will not be processed without said affidavit being submitted and respective statements on approved plans.~~

4. Areas Below Elevated Buildings. Where structures are elevated, the following requirements apply in addition to the requirements of the Florida Building Code:

- a. Electrical service below the base flood elevation is permitted provided it is the minimum necessary for access lighting and it is connected by a ground fault interrupt breaker.
- b. If enclosed by walls, the enclosed area shall not be partitioned into rooms; foundation (crawl space) walls may form more than one enclosed area.
- c. Where the height between the floor of an enclosure and the bottom of the floor system of the building exceeds six (6) feet, or where the height between the ground or slab (including crawl space) and the bottom of the floor system above exceeds six (6) feet, an affidavit signed by the property owner shall be submitted with the permit application to acknowledge the prohibition of the conversion of the area below the lowest floor to a use or dimension contrary to the building's approved design unless subsequently approved under this Code. The permit application will not be processed without said affidavit being submitted and respective statements on approved plans.

6.5. Standards for Manufactured Homes.

- a. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement.
- b. All manufactured homes to be placed or substantially improved within Zones A1-30, AO, AH and AE on sites which are: (1) outside of a manufactured home park/subdivision; (2) in a new manufactured home park/subdivision; (3) in an expansion to an existing manufactured home park/subdivision; or (4) in an existing manufactured home park/subdivision on which a manufactured home has incurred substantial damage as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home, together with attendant utility systems, shall be elevated no lower than the ~~design-base~~ flood elevation plus six (6) inches and be securely anchored to an adequate foundation system to resist flotation, collapse and lateral movement and in accordance with the provisions of FEMA Bulletin 85, or subsequent replacement documents, for the anchoring of manufactured homes.
- bc. All manufactured homes to be placed or substantially improved in an existing manufactured home park or subdivision within Zones A1-30, AH, AO, and AE, that are not subject to the provisions of paragraph 6 (a) of this Section, must be elevated so that either:
 - (i) the lowest floor of the manufactured home, together with attendant utility systems, is elevated to at least the ~~design-base~~ flood elevation plus six (6) inches; or
 - (ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength that are no less than 36 inches in height above the grade, designed and constructed to evenly distribute the load, and be securely anchored to an adequate foundation system to resist flotation, collapse and lateral movement and in accordance with the provisions of FEMA Bulletin 85, or subsequent replacement documents, for the anchoring of manufactured homes; and
 - (iii) duct work shall be placed above the design flood elevation or be certified as flood resistant.
- d. Areas below elevated manufactured homes shall comply with the requirements of subsection 301.2.3(4), above.
- e-e New manufactured home parks, subdivisions, and expansions to existing parks/subdivisions (where the repair, reconstruction, or improvement of the streets, utilities, and pads equal or exceed fifty percent (50%) of the value before improvement commenced) and existing manufactured homes not placed in a manufactured park/subdivision require:
 - (i) stands or lots be elevated on compacted fill or structures elevated on pilings so that the lowest floor of the manufactured home and servicing equipment and ductwork (unless ductwork is certified as flood resistant) will be no less than the ~~design-base~~ flood elevation plus six (6) inches; and
 - (ii) adequate surface drainage and access for a hauler are provided.

7.6. Recreation Vehicles or Temporary Construction Offices. A recreational vehicle or a temporary construction office are intended to remain ready for highway use if either are on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices,

and has no permanently attached additions. All recreational vehicles or temporary construction offices placed on sites within Zones A1-30, AO, AH, and AE must either:

- a. be on the site for fewer than 180 consecutive days;
- b. be fully licensed and ready for highway use; or
- c. meet the requirements for new construction, including anchoring and elevation and non-elevation requirements for manufactured homes or meet requirements under paragraph 6 of this Section.

8-7. Floodways. When floodways are designated within areas of special flood hazard on the Flood Insurance Rate Map or within the Flood Insurance Study, additional criteria shall be met. Since the floodway is an extremely hazardous area due to the velocity of flood waters, which carry debris, potential projectiles, and has erosion potential. Notwithstanding any of the above, the following provisions shall apply:

- a. Encroachment or placement of an obstruction is prohibited, including fill, new construction, substantial improvements (includes replacement of an existing manufactured home, unless it is a DCA Certified modular home), mounded septic systems, docks, and other development unless it has been demonstrated through a no-impact analysis (hydrologic and hydraulic analyses that are also referred to as a No Rise Impact Analysis) with supporting technical data submitted by a State of Florida Registered Engineer demonstrating that the proposed encroachment shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- b. If Section 301.3.7 of this Code is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Code.
- c. The placement, or replacement, of any manufactured home, except in a pre-FIRM manufactured home park or subdivision that has not had a manufactured home flooded, is prohibited within the designated floodway.

9-8. Standards for streams or riverine systems, A Zones without established Base Flood Elevation, or floodways located within the areas of special flood hazard where streams exist for which no base flood elevation data or regulatory floodway has been provided by FEMA or the County, the following provisions shall apply:

- a. All new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than fifty (50) lots or five (5) acres, whichever is less, include within such proposals base flood elevation data.
- b. All new construction and substantial improvements shall meet elevation requirements of this Chapter. Information that shall be submitted and maintained and shall include:
 - (i) required elevation (in relation to the mean sea level) of the lowest floor (including the basement) of all new and substantially improved structures, and
 - (ii) non-residential structure floodproofing certificate and information in accordance with the requirements of this Chapter and the elevation in relation to the mean sea level to which the structure has been floodproofed.
- c. Notify, in riverine situations, adjacent communities where streams or rivers enter or leave boundaries and the State NFIP Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA along with an application of Letter of Map Revision.
- d. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained, unless mitigated pursuant to this Chapter, the Land Development Code, the Development Review and Procedures Manual, and the Stormwater Technical Manual. Variations to requirements within Chapter 3 of this Code shall be approved pursuant to Section 301.3.9 of this Chapter.
- e. Manufactured homes shall be installed using methods and practices that minimize flood damage and meet elevation requirements. They must be elevated and anchored to prevent flotation, collapse, or lateral movement.

- f. Require for riverine areas without a regulatory floodway boundary defined on the Flood Insurance Rate Map, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
 - g. Require compensation storage pursuant to minimum standards within the Hillsborough County Stormwater Technical Manual and with Hillsborough County's participation with the National Flood Insurance Program, and within this Chapter, Section 301.3.4.
- ~~10. Standards for Subdivision Proposals.~~
- ~~a. All subdivision proposals shall be consistent with the need to minimize flood damage.~~
 - ~~b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.~~
 - ~~c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.~~
 - ~~d. Design and base flood elevation data shall be provided for subdivision proposals and other proposed developments, including manufactured home parks and subdivisions that exceed fifty lots or five acres, whichever is less.~~
 - ~~e. All subdivision proposals must comply with all pertinent provisions of the Subdivision Regulations and all other applicable development regulations.~~
 - ~~f. All subdivision lot grading plans shall list both the NGVD 1929 and the NAVD 1988 vertical datum elevations, with appropriate conversion factor(s), required for an individual structure's finished floor and base flood elevations, where applicable, and the elevation shall be listed for easy identification for each lot until such time the County's Flood Insurance Rate Maps and Flood Insurance Study have elevations listed using the NAVD 1988 vertical datum. At such time, the vertical datum shall be listed using NAVD 1988 for new designs with construction plan approval.~~
 - ~~g. All subdivision lot grading plans' reported finished floor elevations shall be used unless the finished floor elevation is below the base flood elevation; then, the respective lot's elevation shall be six inches above the base flood elevation derived from the Flood Insurance Rate Map and, or, the Flood Insurance Study. Elevations from within the Flood Insurance Study shall be used if higher than that reported on the Flood Insurance Rate Map.~~
- ~~11.9.~~ Coastal A Zones are those A and AE zones shown on the Flood Insurance Rate Map (FIRM) and within the Flood Insurance Study (FIS) that have been identified through standard engineering practices to have potential breaking waves less than three (3) feet in height. The waves in these areas have sufficient force to modify the landscape and damage or destroy the built environment if not properly designed and constructed to counter such forces. Pursuant to ASCE standards referenced within the Florida Building Code, new construction or substantial improvements must be designed to have considered, in addition to other requirements of this ordinance, effects from erosion and scour, and to have considered appropriate factors necessary to resist floatation, collapse, and lateral movement due to the effect of wind and water loads action simultaneously on all building components. Designs for meeting this requirement must be performed by design professionals, who are required to certify their work through sealing and signing drawings and any other documents (i.e., calculations, etc.) as is appropriate by regulations.

301.2.4 Standards for Subdivision Proposals and Site Development Proposals. In flood hazard areas the following requirements apply:

- 1. All subdivision proposals and site development proposals shall be consistent with the need to minimize flood damage.

2. All subdivision proposals and site development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
3. All subdivision proposals and site development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
4. Design and base flood elevation data shall be provided for subdivision proposals and other proposed developments, including manufactured home parks and subdivisions that exceed fifty lots or five acres, whichever is less.
5. All subdivision proposals must comply with all pertinent provisions of the Subdivision Regulations and all other applicable development regulations.
6. All subdivision lot-grading plans shall list both the NGVD 1929 and the NAVD 1988 vertical datum elevations, with appropriate conversion factor(s), required for an individual structure's lowest floor and base-flood elevations, where applicable, and the elevation shall be listed for easy identification for each lot until such time the County's Flood Insurance Rate Maps and Flood Insurance Study have elevations listed using the NAVD 1988 vertical datum. At such time, the vertical datum shall be listed using NAVD 1988 for new designs with construction plan approval.
7. All subdivision lot-grading plans' reported lowest floor elevations shall be used unless the lowest -floor elevation is below the current effective base-flood elevation; then, the respective lot's elevation shall be six-inches above the current effective base-flood elevation derived from the Flood Insurance Rate Map and, or, the Flood Insurance Study. Elevations from within the Flood Insurance Study shall be used if higher than that reported on the Flood Insurance Rate Map.

12.301.2.5 Specific Standards for Coastal High Hazard Areas (Zone V). Coastal High Hazard Areas; ~~also V zone~~, are designated on the Flood Insurance Rate Map as Zones V1-30, VE, or V. These areas have special flood hazards associated with high velocity waters from hurricane surges. Therefore, in addition to ~~meeting all provisions in this Code~~ the requirements of the Florida Building Code, the following provisions shall also apply:

- a. ~~All new construction and substantial improvements in Zones V, V1-30 and VE shall be elevated without side bracing so that:~~
 - ~~(i) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns), together with attendant utility systems, be elevated to, or above, the design flood elevation;~~
 - ~~(ii) new construction or substantial improvement to an existing residential structure built prior to March 1, 2002 within Zones V and VE and with the lowest horizontal member constructed to, or above, the base flood elevation that is in effect, but is below the design flood elevation, may have the lowest horizontal member, together with attendant utility systems, built to, or above, the effective base flood elevation; and~~
 - ~~(iii) the pile or column foundation and structure attached or anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by the applicable State building code.~~
- ~~b. A design professional shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this Code and permitting requirements identified within this Chapter.~~
1. The elevation requirements of Section R322 of the Florida Building Code – Residential, and Section 1612.4 of the Florida Building Code – Building, by reference to ASCE 24 apply except:
 - a. For new construction and substantial improvement of buildings that were permitted on or after March 1, 2002, the required elevation shall be at or above the base flood elevation plus six (6) inches.

- b. For additions to existing buildings that were permitted before March 1, 2002 and that meet current elevation requirements, the minimum required elevation shall be at or above the current-effective elevation.
- c. A licensed engineer shall have performed a soils and foundation analysis to determine the suitability of the soil to support the structure and submit background data for approval and recording with the permit application.
- d. A design professional shall perform an analysis, or analyses, prior to allowable obstructions being designed to be placed into the V-zone. The analysis, or analyses, shall show that there shall be no impact with respect to ramping and, or, deflection of velocity waters, or erosion damage to the structure or nearby buildings. Respective analyses and background data shall be submitted for approval and recording with the permit application. The analysis, or analyses, shall be performed in conformance to standards identified within the U.S. Army Core Corps of Engineers' Coastal Shore Protection and the FEMA's Coastal Construction manuals. If impacts are to be mitigated, a variance in accordance with this Chapter and Code shall first be obtained prior to a permit application being granted. Mitigation techniques shall be a condition of a Flood Damage Control Board Order and shall be shown on construction plans and put into place prior to impacts.
- e. ~~Construction performed by an owner agent permit applicant shall have a sealed Elevation Certificate submitted for a building under construction following the request for a foundation inspection. Further approvals will not be granted unless the lowest horizontal structure meets the design flood elevation requirement.~~
- f. ~~All new construction shall be located landward of the reach of the mean high tide.~~
- g. ~~Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by Hillsborough County or State codes) may be permitted only if a registered professional engineer or architect certifies, and submits background data for recording with the permit application, that the designs proposed meet the following conditions:~~
 - ~~(i) breakaway wall collapse shall result from water load less than that which would occur during the base flood, which may be submitted to FEMA for review to ensure compliance under the County's participation with the National Flood Insurance Program; and~~
 - ~~(ii) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by the applicable State building code.~~
- h. ~~The enclosed space below the lowest floor shall be useable solely for parking of vehicles, building access, or storage. The space must be designed not to be finished for other uses such as for recreation or habitation purposes. Only non-load-bearing breakaway walls, open lattice, or insect screening shall be used, and no mechanical, Mechanical, electrical, or plumbing equipment shall not be installed below the design-flood elevation unless the electrical is the minimum required to operate entry access lighting that is connected through a ground-fault interrupt breaker circuit. Additionally:~~
 - ~~(i) such space shall not be partitioned into multiple rooms, temperature-controlled, or used for human habitation;~~

- ~~(ii) stabilized areas beneath the structure (such as for parking or for allowed enclosures) shall be constructed with minimum reinforcement necessary and will be placed at grade, unless otherwise approved;~~
- ~~(iii) such space shall not be structurally attached to the building's foundation system or be considered as an obstruction; and~~
- ~~(iv) where elevation requirements exceed six (6) feet above the highest adjacent grade, an affidavit, shall be submitted with the permit application that acknowledges the prohibition of the conversion of the area below the lowest floor to a use or dimension contrary to the building's approved design and this Chapter. The permit application will not be processed without said affidavit being submitted and respective statements on approved plans.~~
- f. Areas Below Elevated Buildings. The following requirements apply in addition to the requirements of the Florida Building Code:
 - (i) Electrical service below the base flood elevation is permitted provided it is the minimum necessary for access lighting and it is connected by a ground fault interrupt breaker.
 - (ii) If enclosed by walls, the enclosed area shall not be partitioned into rooms and shall not be climate controlled.
 - (iii) Where the height between the floor of an enclosure and the bottom of the floor system of the building exceeds six (6) feet, or where the height between the ground or slab (including crawlspace) and the bottom of the floor system above exceeds six (6) feet, an affidavit signed by the property owner shall be submitted with the permit application to acknowledge the prohibition of the conversion of the area below the lowest floor to a use or dimension contrary to the building's approved design unless subsequently approved under this Code. The permit application will not be processed without said affidavit being submitted and respective statements on approved plans.
- ~~i. Prohibit the use of fill for structural support of structures.~~
- jg. Prohibit the use of fill for non-structural use, except when such does not exceed the elevation of the existing grade by more than three (3) inches or otherwise does not require a permit for minor ground stabilizing or landscaping purposes. No permit shall be issued for the use of fill in V-zone, as designated on the Flood Insurance Rate Map, unless it has been demonstrated through appropriate engineering analyses and background data has been submitted for recording with the permit application that the subject fill does not cause any adverse impacts to the structure on site or adjacent properties. Placement of fill that would result in an increase in the base flood elevation may be permitted, provided that the permit applicant first applies for a variance pursuant to Section 301.3.9 of this Chapter.
- kh. Pursuant to the Federal Emergency Management Agency Technical Bulletin, Free-of-Obstructions Requirements, prohibit obstructions underneath and outside of the perimeter, except as identified in the following:
 - (~~iii~~i) Access stairs and elevators: Access stairs and elevators attached to or beneath an elevated building are excluded from the breakaway requirement but must be of flood-resistant materials. Access stairs and elevators need not be breakaway; however, potential loads generated by these obstructions must be identified and accounted for within the design of the building. If access stairs are enclosed, walls shall be minimum required and shall be built pursuant to paragraph 11.g. of this Chapter. Further requirements regarding elevators can be found in the Federal Emergency Management Agency Technical Bulletin 4, "Elevator Installation;"
 - (~~iii~~ii) Bulkheads, rip-rap, seawalls, and similar: Any of these items beneath or adjacent to a coastal building, whether or not it is attached to the foundation system, is an obstruction and is therefore prohibited, unless otherwise approved pursuant to paragraph 11.d of this Chapter;

- (iviii) Concrete pads: A concrete pad with minimal, or no, reinforcement to be used for parking or as a floor, may be poured beneath an elevated coastal building. A concrete pad placed at grade is not considered an obstruction if it is not structurally attached to the building's foundation system. The use of fill beneath an elevated building to elevate a slab above natural grade is considered an obstruction and is therefore prohibited. It is important to note that compliant concrete pads often collapse during coastal storms due to erosion and localized scour of underlying soils;
- (iv) Decks, patios, gazebos: Decks or patios constructed at grade may involve considerable alteration of the site in the construction process. The proposed construction must be evaluated pursuant to paragraph 11.d of this Chapter to determine whether buildings on the site or on adjacent sites will be adversely affected. Floodwaters shall not be diverted into the elevated building or into nearby buildings. It is required to be demonstrated by the design professional that debris from destroyed decks or patios shall not damage the foundation of the building or of adjacent buildings. Decks and patios constructed below the design-flood elevation must be structurally independent of the building's foundation system. If a deck is structurally attached to the building, the lowest horizontal member of the deck must be elevated to or above the design-flood elevation. Like an at-grade deck, an elevated deck should not worsen flooding conditions or create debris that will damage adjacent buildings. A deck that is properly elevated on embedded piles to withstand flood forces generated by a base flood shall not cause additional flood or debris damage to adjacent buildings;
- ~~(vi) Enclosed areas: The area beneath the elevated structure of a V-zone building may be enclosed pursuant to paragraph 11.h. of this Chapter. Only non-load-bearing breakaway walls or open lattice and insect screening may be used below the design flood elevation;~~
- (vii) Fences: Like other construction elements on V-zone building sites, fences must be analyzed pursuant to paragraph 11.d. of this Chapter for their effects on flood conditions, including ramping effects on adjacent buildings and the effects of debris during flood events.
- ~~(viii) Foundation bracing: Bracing shall not be used for new construction. Such bracing is intended to provide lateral wind-resistance support to a pile or column foundation by stiffening the foundation system and is to be placed parallel to the primary direction of flow; generally perpendicular to the shoreline. Only the minimum amount of bracing that is necessary to stiffen the foundation may be used. Bracing should be composed of members that will offer the least resistance to floodwaters flowing under the elevated building;~~
- ~~(vix) Grade beams: Grade beams, made of wood or reinforced concrete, tie together the perimeter piles or columns to provide additional lateral support. Grade beams that are placed with their upper surfaces flush with the natural grade are allowed, provided it is demonstrated that the. The design professional must show grade beams will remain in place when erosion and localized scour remove the supporting soil beneath. It must be noted that grade beams are not to be used as a substitute for adequate number, size, and embedment of piles or columns;~~
- ~~(xviii)~~ Septic systems: Elevated or mounded septic systems require fill and constitute an obstruction if placed under, or adjacent to, an elevated building within the V-Zone as identified on the Flood Insurance Rate Map. Therefore, septic systems must not be attached directly to the foundation, but may be permitted on a V-zone site if it will not worsen flooding conditions for the building in question or any adjacent buildings pursuant to paragraph 11.d. of this Chapter;
- (ixi) Swimming pools: A swimming pool may be placed beneath a building within the V-zone pursuant to paragraphs 11.d, h, and i of this Chapter and only if the top of the pool

and accompanying pool deck or walkway are flush with the existing grade and only if the lower area (below the lowest floor) remains open. Lower-area walled-enclosures around pools constitute a recreational use and are therefore not allowed, even if constructed to breakaway standards. Lattice and insect screening are allowed as they do not create an enclosed area. Pools, either at-grade or elevated, are allowed adjacent to coastal buildings only if the pools will not act as obstructions that will result in damage to the V-zone building or nearby buildings. The design professional must prove that a pool beneath or near a V-zone building will not be subject to breaking up or floating out of the ground during a coastal flood and shall therefore not increase the damage potential to the foundation and elevated portion of any nearby buildings proven pursuant to paragraph 11.d of this Chapter. In addition, the design professional must design and site the pool so that any increased wave or debris impact forces will not affect any nearby buildings. Pools, pool decks, walkways, and associated accessory buildings placed under or adjacent to buildings within the V-zone must be structurally independent of the building and its foundation;

- (xii) Fill: Fill shall only be used in the V-zone as described under this Chapter. Any approved fill shall not interfere with the free passage of floodwaters and debris underneath the building or cause changes in flow direction during coastal storms such that floodwaters will cause additional damage to buildings on the site or to any adjacent buildings. Under the building, no fill may be used except for minor landscaping and minor site grading for drainage purposes. An example of unacceptable placement of fill would be the construction of a small berm or retaining wall that is backfilled and used for landscaping purposes when it has been determined that ramping or deflection of floodwaters will adversely affect adjacent buildings and thereby create additional flood damage potential;
 - ~~(xiii) Prohibit man-made alteration of sand dunes and mangrove stands that would increase potential flood damage;~~
 - ~~(xiv) The placement of manufactured homes, except in an existing manufactured home park or existing manufactured home subdivision, is prohibited; and~~
 - ~~(xv) Any alteration, repair, reconstruction, or improvements to a structure started after the effective date of this Code, shall not climate control any space beneath the lowest floor and shall not enclose the space below the lowest floor unless breakaway walls are used.~~
2. Man-made alteration of sand dunes or mangrove stands that would increase potential flood damage is prohibited.
 3. The placement of manufactured homes, except in an existing manufactured home park or existing manufactured home subdivision, is prohibited. If placed in an existing manufactured home park or existing manufactured home subdivision, the foundation of the manufactured home shall comply with the requirements of the Florida Building Code, Residential, Section R322 as applicable to coastal high hazard areas. Areas under elevated manufactured homes shall meet the requirements of subsection f. of this section.
 - ~~13.4. _____~~ Recreational vehicles placed on sites within Zones V, V1 – V30, V, and VE on the FIRM shall be on sites for fewer than 180 consecutive days, be fully licensed and ready for highway use, and shall in conformance with the requirements of this Chapter and remain road ready and be immediately removed from the site at the time an evacuation order is given.

301.3 Additional Standards for Developments in Floodplains

- 301.3.1 Criteria.** The criteria for development in floodplains shall pertain to all floodplains and not be limited to those floodplains identified on FEMA maps. The Engineer of Record (EOR) shall be responsible for determining the on-site 100-year flood elevations if not determined by a FEMA or Hillsborough County study. The EOR is required to submit a Letter of Map Amendment or Map

Revision to FEMA for any changes in flood zone designations or modifications that may be used in modifying a FIRM designation as determined by a detailed study of the area. New hydrologic and hydraulic engineering analyses submitted to change base flood elevations, flood hazard area boundaries, or floodway designations shall be submitted to FEMA within six (6) months of such data becoming available.

301.3.2 Special Flood Hazard Area (100-Year Frequency Floodplain). No development (structures or fill) shall be allowed in the conveyance portion of any 100-year frequency floodplain as described by the Stormwater Management Section of the Public Works Department associated with a freshwater stream, channel, lake, or waterway, unless provisions are made to compensate for any reduction in conveyance caused by the development and in accordance with this Chapter and other applicable County regulations.

301.3.3 100-Year Frequency Floodplain Non-Coastal

1. No development (structures or fill) shall be allowed in any 100-year frequency non-coastal floodplain, unless provisions are made to compensate for the reduction in storage volume due to the proposed development and pursuant to Section 301.3.9 of this Chapter.
2. ~~Within Zones A, A1-30, AE-AO, AH on the FIRM, adequate drainage paths around structures on slopes shall be provided to guide floodwaters around and away from proposed structures and shall be pursuant to an approved plan. For structures constructed in an area without an approved lot-grading plan and outside of the Special Flood Hazard Area, the minimum elevation shall include the requirement of 18 inches above the crown of the road, unless otherwise approved by the County.~~

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301.3.9 Variances. Accompanying Section ~~108.4.2~~ 113.4.2

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CHAPTER 4 DEFINITIONS

[Ed. Note: All defined terms not appearing below are unchanged]

~~A. Words not Defined or Contained herein in this Chapter.~~ Words not defined ~~or contained herein~~ in this Chapter shall have the meaning stated in the Florida Building Code. Words that are not defined in this Chapter nor in the Florida Building Code shall have the meaning stated in the most applicable Florida Statutes, or other nationally recognized codes, or other documents, manuals or standards adopted elsewhere in this chapter Ordinance. Words not defined in any of those documents shall have the meaning stated in the Webster's Third New International Dictionary of the English Language, Unabridged, as revised.

...

~~Appraised value.~~ ~~For the purpose of this section, appraised value is defined as either (1) one hundred and twenty percent (120%) of the assessed value of the structure as indicated by the County Property Appraiser's Office or (2) the value as indicated in a certified uniform appraisal report based upon comparable sales, which is not a limited summary appraisal report. For floodplain management purposes, the appraised market value is based on the County Property Appraiser's assessed structure value or the commercially appraised depreciated structure value. When used for the purposes of determining substantial improvement, it pertains only to the value of the structure. It does not pertain to the land, landscaping, detached accessory structures, or other site improvements (for example, docks, seawalls, and gazebos).~~

Area of shallow flooding. An area designated AO on the Flood Insurance Rate Map (FIRM) with base flood average depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard. The land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. The term "Special Flood Hazard Area", for purposes of these regulations, is synonymous with the phrase "area of special flood hazard".

Assessed value. The value of real property and improvements thereon as established by the Hillsborough County Property Appraiser.

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Basement. For floodplain management purposes, any area of a building having its floor sub-grade (below ground level) on all sides.

Breakaway wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under lateral loading forces as defined within Chapter 3 of this ordinance, without causing damage to the elevated portion of the building or the supporting foundation system. Shear walls may not substituted for breakaway walls within the Flood Insurance Rate Map velocity zone.

Coastal high hazard area. For floodplain management purposes, an area of special flood hazard extending from offshore to any area subject to high velocity wave action from storms. The area is designated on the Flood Insurance Rate Map as Zone V1-V30, VE, or V. A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.

Design flood. The flood associated with the greater of the following two areas: Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design Flood Elevation. See Freeboard. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet.

Elevated building. A non-basement building built to have the lowest floor elevated above the ground level by foundation walls, stem or shear walls, posts, piers, pilings, or columns. For floodplain management purposes, the type of elevation has limitations depending where the structure will be located within the Special Flood or Coastal High Hazard Areas.

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be

affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before June 18, 1980.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood hazard area. The greater of the following two areas: The area within a floodplain subject to a 1-percent or greater chance of flooding in any year. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM) effective date. The date on which Flood Insurance Rate Maps were made effective for unincorporated Hillsborough County is June 18, 1980.

Flood Insurance Study (FIS). An official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map and the results of examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations. The document that contains official regulatory base-flood and floodway elevations, floodway widths, and data associated with the current effective model. Elevations identified within the FIS take precedents over elevations obtained from the Flood Insurance Rate Map(s)

Flood vent. See Openings

Floodplain. Any land area susceptible to being inundated by water from any source (see definition of "flood").

Floodplain management. Process of operation of an overall program of preventive and corrective measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations (including Chapter 3 of this Code), land development regulations, and plans associated with floodplain management and mitigation.

Floodplain management regulations. Chapter 3 of this ordinance and other zoning ordinances, subdivision regulations, construction and building codes, health regulations, special purpose ordinances (such as the land development code or the stormwater technical manual), and other applications of police power. This term describes federal, state or local regulations, in any combination thereof, which provide standards for the purposes of flood damage prevention and reduction.

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

Floodproofing. Any combination of structural and nonstructural additions, changes, or adjustments to structures, which eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. Floodproofing is not an alternative for meeting residential design flood elevation requirements.

Floodproofing certificate. A certificate form available from the Federal Emergency Management Agency to be completed and signed by a Florida licensed engineer certifying that a nonresidential

commercial structure has been constructed to be, or has been designed to be made to be, floodproofed to one foot above the base flood elevation.

Florida Existing Building Code— Refers to the Existing Building volume of the code.

Florida Building Residential Code — Residential. Refers to the Residential volume of the code.

Florida Building Code – Test Protocols For High –Velocity Hurricane Zones. Refers to the High-Velocity Hurricane Zones volume of the code.

Freeboard. The additional height that adds a factor of safety above the base flood elevation (or flood level) for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed. The Freeboard requirement for unincorporated Hillsborough County is six (6) inches.

Functionally dependent facility. For floodplain management purposes, a facility that cannot be used for its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities or other necessary facilities used for the loading and unloading of cargo or passengers, and providing necessary components such as submersible pumps, shipbuilding, and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Historic Structure. means any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings.:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 15. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- 16. Individually listed on a local inventory historic places in communities with historic preservation programs that have been certified either:
 - (iii) By an approved state program as determined by the Secretary of the Interior, or
 - (iv) Directly by the Secretary of the Interior in states without approved programs.

Hydrostatic Vents. See Openings

Increased Cost of Compliance (ICC). The coverage by a standard flood insurance policy under the National Flood Insurance Program that provides for the payment of a claim for the cost to comply with the Hillsborough County’s floodplain management laws or ordinances after a direct physical loss by flood, when Hillsborough County declares the structure to be “substantially” or “repetitively” flood damaged. ICC coverage is provided for in every standard NFIP flood insurance policy, and will help pay for the cost to floodproof, relocate, elevate, or demolish the structure.

Lowest floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, storage, screened porch or screened lanai, in an area other than a basement, is not considered a building’s lowest floor;

~~provided that such enclosure is not built so as to render the structure in violation of the non-elevation design requirements of this ordinance. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24.~~

Lowest horizontal structural member. For floodplain management purposes, in an elevated building, the lowest beam, joist, or other horizontal member that supports the building. Nonstructural grade beams installed to support vertical foundation members where they enter the ground are not considered lowest horizontal structural members.

Manufactured home. For floodplain management purposes, the term “manufactured home” does include mobile home but does not include a “recreational vehicle”. Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. A structure, transportable in one or more sections, that is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle” or “park trailer”.

Market value. For the purposes of determining substantial improvement or damage, market value pertains only to the value of the structure. It does not pertain to the land, landscaping, or detached accessory structures or other site improvements. ~~Acceptable structural values that may be used in establishing the market value, after consideration to depreciation, are obtained through independent professional appraisals, detailed estimates of the structure’s actual cash value that has been approved by the Building Official, property appraisal records used for tax assessment purposes, values of buildings taken from National Flood Insurance Program claims data, qualified estimates through the Building and Construction Services and approved by the Building Official. Replacement cost or value is not an acceptable value for determining, and is not a replacement for, market value. As used in this Chapter, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or one hundred and twenty percent (120%) of the tax assessment value as indicated by the County Property Appraiser’s Office.~~

Opening. For floodplain management purposes, is a permanent opening in a wall that allows for the free passage of water automatically in both directions without human intervention. This term may be referred to as a flood vent or a hydrostatic vent.

Post-FIRM manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after June 18, 1980 ~~the County’s Flood Insurance Rate Map effective date.~~ This term may also be referred to as “new manufactured home park or subdivision”.

Pre-FIRM construction. For floodplain management purposes, is associated with structures for which the “start of construction” commenced before June 18, 1980 (unincorporated Hillsborough County effective date of the Flood Insurance Rate Map(s)). This term may also be referred to as “existing structures”.

Pre-FIRM manufactured home park or subdivision. For floodplain management purposes, a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before June 18, 1980 (the effective date of the floodplain management regulations adopted by a Hillsborough County Board of County Commissioners). This term may also be referred to as “existing manufactured home park or subdivision”.

Property Appraisal. For floodplain management purposes, refer to market value.

Repetitive Loss. For Flood Plain Management purposes, flood-related damages sustained by a structure on two separate occasions during a 12 month period ending on the date of the event for which the second claim is made, for which the cost of repairs at the time of each such flood event, on the average, equaled or exceeded 25% of the market value of the structure before the damages occurred.

Residential building. Any one or two family building or accessory.

Special flood hazard area (SFHA) (see Area of Special Flood Hazard). An area having special flood hazard and shown on the FIRM as Zone A, AO, A1-30, AE, A99, AH, V1-30, VE, or V. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

Start of construction. For floodplain management purposes and for a substantial improvement. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns. Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Site: — The physical clearing of the site in preparation for foundation work including, but not limited to, site clearing, excavation, de-watering, pilings, and soil testing activities.

Building: — The removal, disassembly, repair, replacement, installation, or assembly of the building, structure, building system, or building components in whole or parts thereof.

For floodplain management purposes and for a substantial improvement: The actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. See also cumulative construction cost definition.

Storage areas. For floodplain management purposes, areas intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Furthermore, such storage areas must be of flood resistant or breakaway materials, non-partitioned, void of utilities, with

openings to preclude hydrostatic loading and allow ventilation. Areas cannot be temperature-controlled and therefore exist simply because of aesthetic or load bearing design (except in a velocity zone) of the building. As such, the enclosed area should be considered bonus space with minimum access to store items that otherwise would be stored outside the building or in a garage or a shed.

Substantial damage. Damage of any origin sustained by a building or structure or (including a manufactured home) whereby the cost of restoring the building or structure (or manufactured home) to its ~~before~~ before-damaged condition would equal or exceed 50 percent of the market value of the building or structure (or manufactured home) before the damage occurred. ~~Substantial damage~~ The term also includes means flood-related damages sustained by a structure on one (1) two or more separate occasions during a 12-month period for which the (a) aggregate cost of repairs equals or exceeds 50 percent of the market value of the structure before damages occurred; or (b) . ~~Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a 12-month period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before damages occurred.~~ Replacement cost or value is not an acceptable value for determining substantial damage.

Substantial improvement. Any combination of repair, reconstruction, rehabilitation, addition, new construction, manufactured home replacement or other improvement of a building or structure or manufactured home during taking place within a period measured from the date of permit application to a date twelve (12) months following the final inspection or date of the certificate of occupancy, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the "start of construction" of the initial improvement or repair is started. ~~The term includes structures that~~ If the building or structure has ~~incurred "substantial damage", any repairs are considered substantial improvement regardless of the actual work performed. For each building or structure, the one-year period begins on the date of the permit application for the first improvement or repair of the building or structure., however~~ However, the term does not include either:

- a Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure" provided that the alteration would not preclude the structure's continued designation as a "historic structure."



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 23, 2013

Honorable Pat Frank
Clerk of the Circuit Court
Hillsborough County
Post Office Box 1110
Tampa, Florida 33601-1110

Attention: Kimberly Richards, Associate Director, BOCC Records/VAB

Dear Mr. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated August 22, 2013 and certified copies of Hillsborough County Ordinance Nos. 13-23 and 13-24, which were filed in this office on August 23, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

RECEIVED
2013 SEP -5 AM 8:39
CLERK TO
THE BOARD (A)

LEGAL ANNOUNCEMENTS

TO PLACE YOUR AD CALL 813-259-7585 OR FAX 813-259-7392 OR CALL YOUR LOCAL REPRESENTATIVE

DISSOLUTION OF MARRIAGE

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA
FAMILY LAW DIVISION

IN RE:

ROGILIO LOMELI-RODRIGUEZ

Petitioner,

And

PATRICIA PEREZ SANCHEZ

Respondent,

Case No.: 13-DR-010087

Division TP

FILED

CLERK OF CIRCUIT COURT

3 July 2013 9:30 AM

HILLSBOROUGH COUNTY, FL

FAMILY LAW

NOTICE OF ACTION FOR DISSOLUTION OF MARRIAGE

PATRICIA PEREZ SANCHEZ

No Known Address

YOU ARE NOTIFIED that an action has been filed against you and that you are required to serve a copy of your written defenses, if any, to it on ROGILIO LOMELI-RODRIGUEZ, whose address is 1512 GLORY AVE Plant City FL 33563, on or before August 07, 2013 and file the original with the Clerk of this Court at 301 N. Michigan Ave., room 1071, Plant City, FL 33563, before service on Petitioner or immediately thereafter. If you fail to do so, a default may be entered against you for the relief demanded in the petition.

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request.

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Notice of Current Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be mailed to the address on record at the clerk's office.

WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions, including dismissal or striking of pleadings.

DATED: July 03, 2013

(seal)

PAT FRANK

CLERK OF CIRCUIT COURT

/s/ Janice Gaffney - Director Plant City

Cc: ROGILIO LOMELI-RODRIGUEZ

1512 GLORY AVE

Plant City FL 33563

As prepared by: Gagelene Dunkerley

#2366

7/26, 8/2, 8/9, 8/16/13

IN THE CIRCUIT COURT OF THE 6th JUDICIAL CIRCUIT IN AND FOR PASCO COUNTY, FLORIDA

IN RE THE MARRIAGE OF

LARRY EREN MOODY,

Petitioner/Husband

Case No.: 512013DR- 422E5

Division: 2

and

LIYA NIGUSSIE GIZAW-MOODY,

Respondent/Wife

NOTICE OF ACTION FOR DISSOLUTION OF MARRIAGE

TO: Liya Nigussie Gizaw-Moody

WHOSE RESIDENT IS UNKNOWN

YOU ARE NOTIFIED that an action has been filed against you and that you are required to serve a copy of your written defenses, if any, to it on Larry Eren Moody, whose address is 2851 Martha Lane, Land O Lakes, Florida 34639, on or before 8/19/2013 and file the original with the clerk of this Court at 38053 Live Oak Ave., Dade City, FL 33523 before service on Petitioner or immediately thereafter. If you fail to do so, a default may be entered against you for the relief demanded in the petition.

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request.

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Notice of Current Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be mailed to the address on record at the clerk's office.

WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions, including dismissal or striking of pleadings.

Dated: July 15, 2013

Paula S. O'Neill, Ph.D., Clerk & Comptroller

CLERK OF THE CIRCUIT COURT

By: /s/ Susannah Hennessy

Deputy Clerk

#2909

7/19, 7/26, 8/2, 8/9/13

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT, IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

DISSOLUTION OF MARRIAGE

2013, and file the original with the clerk of this Court at 800 E. Twiggs Street, Room 101, Tampa, Florida 33602 or P.O. Box 2450, Tampa, Florida 33601-4358 before service on Petitioner or immediately thereafter. If you fail to do so, a default may be entered against you for the relief demanded in the petition.

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request.

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Notice of Current Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be mailed to the address on record at the clerk's office.

WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information; Failure to comply can result in sanctions, including dismissal or striking of pleadings.

Dated: July 11, 2013

(Seal)

Pat Frank

Clerk of the Circuit Court

/s/ Millie D. Ramos

Deputy Clerk

#2890

7/19, 7/26, 8/2, 8/9/13

LEGAL NOTICES

NOTICE OF INTENT TO CONSIDER COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:

Notice is hereby given that the Board of County Commissioners of Hillsborough County, Florida, intends to consider for the purpose of enactment, the following ordinance at a public hearing on **August 21, 2013 at 2:00 p.m.**, in the Board Room, County Center, Second Floor, 601 East Kennedy Boulevard, Tampa, Florida.

AN ORDINANCE CREATING HILLSBOROUGH COUNTY CODE OF ORDINANCES AND LAWS, CHAPTER 2, ARTICLE VI, DIVISION 3 RELATING TO PROTEST POLICIES AND PROCEDURES FOR PROTESTS RELATED TO THE PROCUREMENT OF GOODS AND SERVICES BY HILLSBOROUGH COUNTY; PROVIDING FOR THE RIGHT TO PROTEST; PROVIDING PROCEDURES FOR FILING A PROTEST; PROVIDING THE RIGHT OF INTERESTED PARTIES TO INTERVENE IN A PROTEST; PROVIDING FOR THE STAY OF THE PROCUREMENT PROCESS DURING A PROTEST; PROVIDING FOR THE INITIAL REVIEW OF A PROTEST BY THE DIRECTOR OF THE COUNTY DEPARTMENT ISSUING THE PROCUREMENT SOLICITATION; PROVIDING FOR THE APPEAL OF THE DIRECTOR'S DECISION ON A PROTEST TO A HEARING MASTER; REQUIRING AN APPEALING PARTY TO FILE A BOND OR ALTERNATIVE FORM OF SECURITY WHEN APPEALING A PROTEST DECISION TO THE HEARING MASTER; PROVIDING FOR THE APPEAL OF THE HEARING MASTER'S DECISION ON A PROTEST TO THE COUNTY'S BOARD OF COUNTY COMMISSIONERS; DESIGNATING THE CUSTODIAN OF RECORDS RELATED TO A PROTEST UNDER THIS ORDINANCE; PROVIDING FOR A CONE OF SILENCE FOR PROCUREMENT SOLICITATIONS; PROVIDING FOR A HEARING MASTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION OF ORDINANCE IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.

ANY PERSON WHO MIGHT WISH TO APPEAL ANY DECISION MADE BY THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING ANY MATTER CONSIDERED AT THE FORTHCOMING PUBLIC HEARING OR MEETING IS HEREBY ADVISED THAT THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH WILL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED. ALL INTERESTED PARTIES MAY APPEAR AT THE ABOVE REFERENCED HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. A COPY OF THE PROPOSED ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT THE CLERK'S OFFICE ON THE 12TH FLOOR OF THE COUNTY CENTER AT 601 E. KENNEDY BLVD., TAMPA, FL 33602.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS, AND ALSO THOSE SEEKING AN INTERPRETER, SHOULD CONTACT THE CITIZENS' ACTION CENTER AT TELEPHONE NUMBER (813) 272-5900 NOT LATER THAN 48 HOURS PRIOR TO THE PROCEEDINGS. THIS MEETING WILL BE CAPTIONED FOR THE HEARING IMPAIRED.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

Hillsborough County, Florida

Date to Run: August 9, 2013

#2528

8/9/13

LEGAL NOTICES

OCC applications that are currently pending and that seek approval (1) for Republic Bank & Trust Company to convert to a national banking association under the title "Republic Bank, National Association," (2) for Republic Bank to convert to a national banking association under the title "Republic National Bank," and (3) for Republic Bank (following its conversion to a national banking association) to merge with and into Republic Bank & Trust Company (following its conversion to a national banking association), with Republic Bank & Trust Company surviving the merger and having the title "Republic Bank, National Association." The parties intend that Republic Bank & Trust Company would purchase assets from and assume the deposit liabilities of H&R Block Bank following the conversion of Republic Bank & Trust Company to a national banking association.

It is contemplated that the main office and branch offices of Republic Bank & Trust Company and of Republic Bank will continue to operate following the merger with Republic Bank and following the purchase and assumption transaction with H&R Block Bank, except that Republic Bank & Trust Company intends to close its branch office located at 381 Mallory Station Road, Suite 207, Franklin, Tennessee 37067 on or about September 27, 2013. Republic Bank & Trust Company does not intend to acquire or operate H&R Block Bank's only office at One H&R Block Way, Kansas City, Missouri 64105.

This notice is published pursuant to 12 U.S.C. § 1828(c) and 12 C.F.R. Part 5. Anyone may submit written comments on any of the applications described above not later than August 14, 2013 to: Director of District Licensing, Office of the Comptroller of the Currency, Central District Office, One Financial Plaza, Suite 2700, 440 S. LaSalle Street, Chicago, Illinois 60605.

The public file is available for inspection in the OCC district office during regular business hours. Written requests for a copy of the public file on the application should be sent to the Director for District Licensing.

July 14, 2013 Republic Bank & Trust Company,
Louisville, Kentucky
Republic Bank, Tampa, Florida
H&R Block Bank,
Kansas City, Missouri

#2826

7/15, 7/22, 8/9/13

NOTICE OF INTENT TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE HILLSBOROUGH COUNTY CONSTRUCTION CODE, ORDINANCE 01-33, AS AMENDED

The Board of County Commissioners of Hillsborough County, Florida, intends to consider, for the purpose of enactment, an ordinance, the contents of which are generally described as follows:

AN ORDINANCE AMENDING THE HILLSBOROUGH COUNTY CONSTRUCTION CODE, ORDINANCE 01-33, AS AMENDED; AMENDING VARIOUS SECTIONS IN CHAPTERS 1, RELATING TO FLOODPLAIN MANAGEMENT; AMENDING VARIOUS SECTIONS IN CHAPTER 3, RELATING TO FLOOD DAMAGE CONTROL REGULATIONS; AMENDING VARIOUS DEFINITIONS IN CHAPTER 4; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Enactment of this ordinance will be considered at a public hearing to be held on Wednesday, August 21, 2013 at 2:00 p.m. in the Hillsborough County Board of County Commissioners Board Room, second floor, Hillsborough County Center, 601 East Kennedy Boulevard, Tampa, Florida 33602.

.....
All interested parties are invited to appear at the meeting and be heard with respect to the proposed ordinance. If any person decides to appeal any decision made by the Hillsborough County Board of County Commissioners in regard to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

For copies of the proposed amendment and further information, contact the Hillsborough County Attorney's Office at (813) 272-5670.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY, FLORIDA

#2471

8/9/13

TAMPA PORT AUTHORITY INVITATION TO BID (ITB) NO. B-013-13 WAREHOUSE BUILDING 225 IMPROVEMENTS PROJECT NO. 13-00713

The Tampa Port Authority (TPA) is soliciting

LEGAL NOTICES

response to the Tampa Port Authority, 1101 Channelside Drive, 4th Floor, Tampa, FL 33602. Sealed bids are due by Friday, September 6, 2013 at 1:00 p.m. at which time all bids received will be publicly opened and read aloud.

TPA encourages the use of registered Small Business Enterprise (SBE) firms to the greatest extent possible on TPA projects and has a goal of nine percent (9%) SBE participation. TPA will consider SBE participation when evaluating the bids.

Questions concerning this ITB should be directed to Donna Casey, TPA Procurement Dept. (813) 905-5044, by email at dcasey@tampaport.com, or by fax at (813) 905-5050.

#2515

8/9/2013

TAMPA PORT AUTHORITY INVITATION TO BID (ITB) NO. B-013-13 TPA FACILITY MANAGEMENT - EQUIPMENT STORAGE BUILDING SMALL BUSINESS ENTERPRISE (SBE) SET-ASIDE PROJECT NO. 13-01013

The Tampa Port Authority (TPA) is soliciting sealed bids from qualified contractors interested in performing civil site preparation and construction of a new 9,000 square foot pre-engineered metal building.

This project is an SBE Set-Aside Contract. To participate in this ITB, all prospective bidders must be registered as an SBE firm with TPA prior to the submittal deadline.

A mandatory Pre-Bid Conference and mandatory Site Visit will be held Friday, August 16, 2013, at 9:30 a.m. in the TPA Board Room on the first floor of 1101 Channelside Drive, Tampa, FL 33602. Prospective bidders are required to attend.

The ITB is available through a link on the TPA's website (www.tampaport.com) and the DemandStar System (www.demandstar.com). Interested firms shall submit a completed response to the Tampa Port Authority, 1101 Channelside Drive, 4th Floor, Tampa, FL 33602. Sealed bids are due by Friday, August 30, 2013 at 1:00 p.m. at which time all bids received will be publicly opened and read aloud.

Questions concerning this ITB should be directed to Donna Casey, TPA Procurement Dept. (813) 905-5044, by email at dcasey@tampaport.com, or by fax at (813) 905-5050.

#2514

8/9/2013

NOTICE OF SEIZURE DEPARTMENT OF TREASURY INTERNAL REVENUE SERVICE

The following assets were seized based on probable cause by the Tampa Field Office on June 20, 2013, in the Tampa, FL area pursuant to Title 18 U.S.C. § 981(a)(1)(C).

Property Description

Approximately \$10,000.00 in US Currency

Approximately \$94,644.00 in US Currency

Any person claiming an ownership interest in this property must file a Claim with the Internal Revenue Service-Criminal Investigation, Special Agent in Charge, at 850 Trafalgar Court, Suite 200, Maitland, FL 32751, Attn: Chuck Evans, AFC, on or before **September 16, 2013**; otherwise, the property will be forfeited and disposed of according to law. Call IRS at (850) 475-7423 for further information in reference to Seizure #s 59130063-01

#2437

8/2, 8/9, 8/16/13

Hillsborough County is designating the position of Operations & Legislative Affairs Officer as a Senior Management Service Class position under the Florida Retirement System. For information or questions regarding this public notice, contact Hillsborough County Human Resources Department at (813) 276-2840.

#2503

8/9, 8/16/13

NOTICE OF FORECLOSURE

NOTICE OF ACTION BEFORE THE BOARD OF NURSING

IN RE: The license to practice nursing of
Stacy Angela Farias, L.P.N.

2104 West Kyra Drive, Tampa, Florida 33612

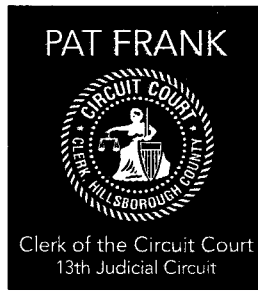
&

4211 North B Street, Tampa, Florida 33609-2220

CASE NO.: 2012-17392

LICENSE NO.: PN 1190341

The Department of Health has filed an Administrative Complaint against you, a copy of which may be obtained by contacting, Matthew G. Witters, Assistant General Counsel, Prosecution Services Unit, 4052 Bald Cypress Way, Bin #C65,



August 22, 2013

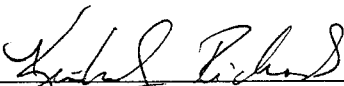
MS LIZ CLOUD CHIEF
BUREAU OF ADMINISTRATIVE CODE
DEPARTMENT OF STATE
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

Re: Ordinance #13-23
Amending the Hillsborough County Construction Code Ordinance 01-33,
as Amended

Dear Ms. Cloud:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by Federal Express) an executed original of Hillsborough County Ordinance #13-23, adopted by the Board of County Commissioners on August 21, 2013. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,



Kimberly Richards,
Associate Director, BOCC Records/VAB

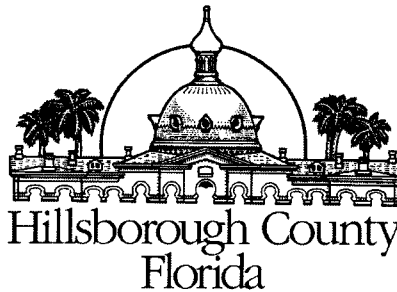
md
Attachment
Federal Express AB# 8010 1235 8304

Office of the County Attorney

Chip Fletcher, County Attorney

BOARD OF COUNTY COMMISSIONERS

KEVIN BECKNER
VICTOR D. CRIST
KEN HAGAN
AL HIGGINBOTHAM
LESLEY "LES" MILLER, JR.
SANDRA L. MURMAN
MARK SHARPE



CHIEF ADMINISTRATIVE COUNSEL
Hank Ennis

GENERAL COUNSEL
Mary Helen Farris

CHIEF ASSISTANT COUNTY ATTORNEYS
Christine M. Beck
Robert E. Brazel
Susan J. Fernandez
Jennie Granahan Tarr

MEMORANDUM

TO: Beverly Miller, Deputy Clerk, BOCC Records

FROM: Cameron S. Clark, Assistant County Attorney *CSC*

DATE: August 21, 2013

RE: Amendment to Ordinance 01-33, as amended

Attached is an ordinance adopted today by the Board of County Commissioners, amending the Hillsborough County Construction Code, Ordinance 01-33. Certified copies of the ordinance must be transmitted to the Department of State within ten days of August 21, 2013.

Please forward to me copies of the acknowledgment from the Department of State that they have received and filed the ordinance when you receive the acknowledgment.

Thank you for your assistance in this matter. Please call me if you have any questions.

Attachment

cc: Susan J. Fernandez, Chief Assistant County Attorney

601 E. Kennedy Boulevard, 27th Floor
Post Office Box 1110 • Tampa, Florida 33601
(813) 272-5670 • Fax: (813) 272-5231
An Affirmative Action/Equal Opportunity Employer

RECEIVED
2013 AUG 21 PM 4:29
CLERK TO
THE BOARD (A)