

## **ORDINANCE NO. 2021-33**

**AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, AMENDING THE CITY OF LARGO COMPREHENSIVE DEVELOPMENT CODE BY AMENDING SUBSECTIONS 1.1, 4.4.5, 12.7., 15.3.7.C, 16.2.4, 16.8.2, 18.1.1.A., AND 18.2.9.B.(3) TO ADOPT THE FLORIDA BUILDING CODE 7TH EDITION (2020); AND REPEALING SUBSECTION 11.17.6B REQUIRING THAT THE BOTTOM OF THE FRAME OF MOBILE HOMES BE FORTY-EIGHT (48) INCHES ABOVE GRADE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Largo has adopted the Comprehensive Development Code (CDC) which encompassed all of the City's land development regulations; and

**WHEREAS**, the CDC is intended to regulate and protect the health, safety and welfare of the citizens of Largo, and to implement the City's Comprehensive Plan; and

**WHEREAS**, the Florida Building Commission has adopted Florida Building Code, 7<sup>th</sup> Edition (2020) to replace the Florida Building Code, 6<sup>th</sup> Edition (2017); and

**WHEREAS**, amendments to the Comprehensive Development Code are required to adopt the most current version of the Florida Building Code; and

**WHEREAS**, amendments to the Comprehensive Development Code are necessary to maintain consistency with the most current version of the Florida Building Code.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF LARGO HEREBY ORDAINS:**

**Section 1.** The above recitals are true and correct and are hereby incorporated by reference as the findings of the City Commission.

**Section 2.** That Section 1.1 of the Comprehensive Development Code is amended to read as follows:

Section 1.1 - How to Use the Comprehensive Development Code

The Comprehensive Development Code (hereinafter referred to as the "CDC") contains the Land Development Regulations for the City of Largo (City). The CDC is designed to provide property owners, governmental entities, residents, and businesses with the necessary information regarding the City's policies and regulations concerning the development, redevelopment and improvement of property within the City. This CDC is limited to governing the development and use of land, water, and structures within the corporate limits of the City.

This CDC is intended to be used like an instruction manual to guide a property owner and/or developer through the steps necessary to develop, redevelop, or improve property within the City; up to and including the issuance of a Development Order (DO). Specifically, Chapter 3 lays out the sequence of development review leading to the issuance of a DO. After issuance of a DO, construction of buildings and other site improvements require a Development Permit (DP), which is administered by the Building Official in accordance with the edition of the Florida Building Code and other technical codes adopted by this Code.

**Section 3.** That Section 4.4.5 of the Comprehensive Development Code is amended to read as follows:

Section - 4.4.5 - Appeal of Building Official Decision

This Section provides procedures for consideration of appeals of a written administrative decision rendered by the Building Official, as it relates the implementation and enforcement of the edition of the Florida Building Code adopted by this Code.

- A. Procedure - Any person aggrieved by a ruling of the Building Official may file a written appeal to the Pinellas County Construction License Board of Appeals ("Board") or its successor as provided in Laws of Florida Chapter 75-489, as amended, provided such ruling is within the appellate jurisdiction of such board.

- B. Application requirements - Per the current requirements of the Pinellas County Construction Licensing Board.

**Section 4.** That Section 11.17.6 of the Comprehensive Development Code is amended to read as follows:

11.17.6 - Elevation requirement for certain existing manufactured home parks and subdivisions

Manufactured homes that are not subject to Section 11.17.5, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as a result of flooding has occurred, shall be elevated such that the bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).

**Section 5.** That Section 15.3.7.C (1) of the Comprehensive Development Code is amended to read as follows:

15.3.7 - Development Standards

...

- C. *Hurricane shelters* - Effective January 1, 1995, hurricane shelter space shall be provided at a ratio of ten (10) square feet per resident. The shelter area shall meet all the following requirements:
- (1) Be certified for a wind load capacity to meet the requirements of the Florida Building Code 7th Edition (2020);

**Section 7.** That Section 15.3.7.C (3) of the Comprehensive Development Code is amended to read as follows:

15.3.7 - Development Standards

...

- C. *Hurricane shelters* - Effective January 1, 1995, hurricane shelter space shall be provided at a ratio of ten (10) square feet per resident. The shelter area shall meet all the following requirements:
- ...
- (3) Be equipped with storm shutters or comparable window protection as outlined in the Florida Building Code 7th Edition (2020) for such protective devices; and

**Section 8.** That Section 16.2.4.A(5) of the Comprehensive Development Code is amended to read as follows:

16.2.4 - Standards

- A. *Detached storage buildings, gazebos and pergolas less than or equal to one hundred and fifty (150) square feet*
- ...
- (5) Minimum separation from the principal structure - As required in the Florida Building Code 7th Edition (2020).

**Section 9.** That Section 16.2.4.B(5) of the Comprehensive Development Code is amended to read as follows:

16.2.4 - Standards

...

- B. *Detached storage buildings, gazebos and pergolas greater than one hundred fifty (150) square feet*

...

- (5) Minimum separation from the principal structure - As required in the Florida Building Code 7th Edition (2020).

**Section 10.** That Section 16.2.4.C(6) of the Comprehensive Development Code is amended to read as follows:

#### 16.2.4 - Standards

- C. *Exceptions* - All Conex, or similar large, reusable containers that are designed for shipping cargo or, when modified, for use as storage, shall adhere to the following standards:

...

- (6) Minimum separation from the principal structure - As required in the Florida Building Code 7th Edition (2020).

**Section 11.** That Section 16.8.2 of the Comprehensive Development Code is amended to read as follows:

#### 16.8.2 - Applicability

Conversion of a garage into habitable living space is permitted subject to receiving a Building Permit which is reviewed and permitted in compliance with the Florida Building Code 7th Edition (2020). Upon completion, the conversion must become an integral part of the house.

**Section 12.** That Section 18.1.1.A of the Comprehensive Development Code is amended to read as follows:

#### 18.1.1 - Building Codes

The following building and technical codes are adopted by reference. The administration of the Florida Building Code requirements referenced in this section lies with the Building Official.

- A. *Florida Building Code adoption by reference* - The Florida Building Code 7th Edition (2020), is hereby adopted by reference as the building code of the City.

- 1. Building permit amendments -

- a. Applications not subject to a Development Order (DO):

- i. Permit review period - A building permit, for improvements not requiring a DO under this CDC, shall be issued within thirty (30) working days of complete application acceptance. Approval may be delayed when unusual circumstances exist which require additional time to process an application or when the permit application is incomplete or fails to satisfy all of the applicable requirements.
    - ii. Construction period - A building permit may be canceled by the Building Official unless construction is substantially commenced, as evidenced by poured footers, slab foundations, and inspection activity, within six (6) months of issuance. The Building Official may grant one (1) extension of time for a period not to exceed ninety (90) days, provided the extension is requested in writing and just cause is demonstrated. Such requests shall be in writing and shall include just cause for the requested extensions.

- b. Applications subject to a DO:

- i. Permit review period - Building permits for improvements requiring a DO under this CDC shall be approved within thirty (30) working days of the effective date of a DO or

building permit application, whichever comes later. Approval may be delayed when unusual circumstances exist which require additional time to process an application or when the permit application is incomplete or fails to satisfy all of the applicable requirements.

- ii. Construction period - The construction period shall not exceed twelve (12) months from the effective date of the DO.

2. Florida Building Code local technical amendments for floodplain management-

- a. The Florida Building Code, Building, Section 202, is modified as follows:

Substantial Improvement: Any combination of repair, reconstruction, rehabilitation, addition or other improvement of a building or structure taking place during a 5-year period, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started. For each building or structure, the 5-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to the adoption of Ordinance 2009-49 on October 20, 2009. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- i. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- ii. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

- b. The Florida Building Code, Existing Building, Section 202, is modified as follows:

Substantial Improvement: For the purpose of determining compliance with the flood provisions of this Code, any combination of repair, reconstruction, rehabilitation, addition or other improvement of a building or structure taking place during a 5-year period, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started. For each building or structure, the 5-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to the adoption of Ordinance 2009-49 on October 20, 2009. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- i. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- ii. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

- c. The Florida Building Code, Residential, Section R322.3.2 is modified as follows:

R322.2.3 Foundation design and construction. Foundation walls for buildings and structures erected in flood hazard areas shall be designed to resist flood loads and shall be certified by a registered design professional.

**Section 13.** That Section 18.2.9.B(3) of the Comprehensive Development Code is amended to read as follows:

18.2.9 - Fire Safety Requirements

...

B. *Means of egress*

...

- (3) Locked doors - All means of egress doors shall be readily openable from the side which egress is to be made without the need for keys, special knowledge or effort unless the door hardware conforms to that permitted by the Florida Building Code 7th Edition (2020) and the Florida Fire Prevention Code.

**Section 14.** That all ordinances or parts thereof inconsistent herewith are hereby repealed and superseded.

**Section 15.** That it is the intention of the City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

**Section 16.** That this ordinance shall become effective immediately upon its final passage and adoption.

APPROVED ON FIRST READING \_\_\_\_\_

PASSED AND ADOPTED ON  
SECOND AND FINAL READING \_\_\_\_\_

ATTEST:

CITY OF LARGO, FLORIDA

\_\_\_\_\_  
Diane Bruner, City Clerk

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Louis ("Woody") L. Brown, Mayor

REVIEWED AND APPROVED:

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Alan, Zimmet, City Attorney