

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, MAKING COMPREHENSIVE REVISIONS TO CITY OF TAMPA CODE OF ORDINANCES, CHAPTER 27 (ZONING); AMENDING SECTION 27-184, CERTIFICATE OF APPROPRIATENESS; AMENDING SECTION 27-393, PROCEDURE FOR AMENDMENT APPLICATION; AMENDING SECTION 27-394, PUBLIC NOTICE REQUIREMENTS; AMENDING SECTION 27-440, DEVELOPMENT DESIGN APPROVAL AND PROCEDURES; AMENDING SECTION 27-456, DEVELOPMENT DESIGN APPROVAL AND PROCEDURES; AMENDING SECTION 27-456.1, DESIGNATION OF CORRIDORS; AMENDING SECTION 27-457.2, CHANNEL DISTRICT BONUS METHODOLOGY AND CALCULATION; LIST OF BONUS AMENITIES; AMENDING SECTION 27-461, SOUTH HOWARD COMMERCIAL OVERLAY DISTRICT DEVELOPMENT DESIGN STANDARDS; AMENDING SECTION 27-465, EAST TAMPA OVERLAY DISTRICT DESIGN GUIDELINES; AMENDING SECTION 27-466, WEST TAMPA OVERLAY DISTRICT DEVELOPMENT DESIGN STANDARDS; AMENDING SECTION 27-468, KENNEDY BOULEVARD CORRIDOR DISTRICT DEVELOPMENT DESIGN STANDARDS; AMENDING SECTION 27-545, DEFINITIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Tampa directed the Land Development Coordination office to complete the following amendments to Chapter 27, Code of Ordinances.

WHEREAS, the Hillsborough County City-County Planning Commission conducted a public hearing on this ordinance and made a finding on August 11, 2008 that it is _____ with the Tampa Comprehensive Plan;

WHEREAS, The City Council of the City of Tampa has determined that the following amendments promote and protect the general health, safety and welfare of the residents of the City of Tampa; and,

WHEREAS, duly noticed public hearings as required by law were held by the City Council of the City of Tampa, at which public hearings all residents and interested persons were given an opportunity to be heard.

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NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:**

Section 1. That “**Sec. 27-184. Certificate of appropriateness.**” is hereby amended by adding the underlined language and deleting the stricken language as follows:

“Sec. 27-184. Certificate of appropriateness.

(g) *Commission action on application.* The commission shall take action on the application and, in doing so, shall apply the review criteria contained in section ~~27-184~~185. The commission's action on the application shall be approval, approval with modifications or disapproval. Prior to final action on an application, the commission, using the guidelines in section ~~27-184~~185, shall make findings of fact indicating the extent to which the application is or is not congruous with the historic aspects of the district. Certificates of appropriateness approved by the BLC are deemed to be consistent with the contributing status, historic significance and integrity of the structure, site and district or designation.”

Section 2. That “**Sec. 27-393. Procedure for amendment application.**” is hereby amended by adding the underlined language and deleting the stricken language as follows:

“Sec. 27-393. Procedure for amendment application.

(e) City council shall approve or deny an application for rezoning within one hundred ~~and~~ eighty (180) days of the applicant submitting their application to the zoning administrator. City council may, for good cause shown, extend this period a maximum of thirty (30) days. Further extension of time may be granted by City Council, only upon finding of extenuating circumstance(s). Any application that has not been set for public hearing within one hundred eighty (180) days of submittal to the zoning administrator shall be deemed withdrawn and shall be subject to 27-395(c), unless the scheduling delay is a result of administrative error.”

Section 3. That “**Sec. 27-394. Public notice requirements.**” is hereby amended by adding the underlined language and deleting the stricken language as follows:

“Sec. 27-394. Public notice requirements.

1 (a) **Text amendments.** For the purposes of the notice requirements, text amendments
2 shall be divided into major and minor amendments as follows:

3 (1) ~~Major text amendments are those proposed amendments which~~
4 ~~substantially change the permitted use categories in zoning districts. The~~
5 ~~public notice for major text amendments shall be given pursuant to the~~
6 ~~procedures required by state law.~~

7 (2) ~~Minor text amendments are all amendments other than the major~~
8 ~~amendments described above. The notice for minor text amendments shall~~
9 ~~be published once in a newspaper of general circulation in the city at least~~
10 ~~fifteen (15) days and no more than forty five (45) days prior to the date of~~
11 ~~the public hearing. The notice shall include the date, time and place of the~~
12 ~~public hearing; the title of the proposed ordinance; the place where the~~
13 ~~proposed ordinance may be reviewed by the public; and shall state that~~
14 ~~interested parties may appear at the public hearing and be heard regarding~~
15 ~~the proposed ordinance. Public notice for text amendments shall be given~~
16 ~~pursuant to state law.~~

17
18 (c) Parcel rezonings. The following procedures shall be followed for any parcel
19 rezoning initiated by the owner of property or his agent:

20
21 (3) In addition to the requirements of subsection (c)(2), the applicant shall
22 send written notice entitled “Good Neighbor Notice for Rezoning [Special
23 Use]” (with a copy of the final site plan for site plan zoning districts and
24 special use requests), not less than thirty (30) days prior to the date set for
25 the public hearing, send written notice, entitled “Good Neighbor Notice
26 for Rezoning [Special Use],” to the officially registered neighborhood
27 association, as registered with the City of Tampa, in which the subject
28 property is located, and to all other officially registered neighborhood
29 associations that lie within two hundred fifty (250) feet, including roads
30 and streets, in all directions from the subject property, as measured in
31 subsection (c)(2) from the boundaries of the subject property. This notice
32 shall adhere to the mailing and affidavit requirements as noted above in
33 subsection (c)(2). If the subject parcel does not lie within the boundaries
34 of an officially registered neighborhood association or if no officially
35 registered neighborhood association exists within the distance
36 measurements as required by this subsection, the applicant shall mail the
37 notice required herein to the closest officially registered neighborhood
38 association, as measured in a straight line, on the “Neighborhood
39 Association Map”.

40
41 (5) The applicant shall prepare an affidavit showing: i. the lands that lie
42 within two hundred fifty (250) feet, including roads and streets, in all
43 directions from the subject property; ii. the names of the owners of such
44 lands; iii. the date and post office address to which each copy of the notice
45 was mailed; iv. the names and addresses of the officially registered
46 neighborhood associations that were mailed notice. The applicant shall

1 attach to the affidavit copies of the postmarked receipts for "certificate of
2 mailing" showing the date the notices were mailed, a copy of the notice
3 letter that was mailed, one (1) photograph depicting the location of the
4 sign on the property and its proximity to the street frontage and one (1)
5 photograph in which the language on the sign is clear and legible. The
6 affidavit and the copies of the post-marked receipts for "certificate of
7 mailing" and a photograph of the sign as posted on the property shall be
8 filed with the city clerk not less than fifteen (15) days prior to the date of
9 the public hearing."

10
11
12 **Section 4.** That "**Sec. 27-440. Development design approval and**
13 **procedures.**" is hereby amended by adding the underlined language and deleting the
14 stricken language as follows:

15
16 "**Sec. 27-440. Development design approval and procedures.**

17
18 (b) Review procedure.

19
20 (1) Preapplication conference. Any property owner or agent thereof required
21 to obtain design approval shall schedule a preapplication conference with
22 the urban design manager ~~or designee~~ and the public art manager prior to
23 submission of an application for design approval. In order to assist in
24 discussing the basic scope of the project, the property owner shall submit a
25 sketch plan containing the following:

- 26
27 a. General development design details;
- 28
29 b. Whether public art is to be placed on-site, off-site or whether a fee-
30 in-lieu is to be paid;
- 31
32 c. The physical description of the public open space, location, size
33 and access;
- 34
35 d. A description of the intended public use or character of the public
36 open space;
- 37
38 e. A description of the type of landscaping, paving, street furniture
39 and activity elements to be incorporated into the public open space;
- 40
41 f. If required, riverwalk design.

42
43 The urban design manager ~~or designee~~ shall review the CBD development
44 design regulations with the applicant and determine in checklist form
45 which standards, guidelines and regulations will be applicable to the
46 project. If public art is required as part of the proposed development, the

1 urban design manager shall refer the applicant to the public art manager
2 for review of the proposed public art.

3
4 (2) Submission requirements. All applications for design approval shall
5 contain the following items:

6
7 g. A public art plan containing the following information shall be
8 submitted (when required) to the public art manager:

9
10 1. A detailed site plan indicating the proposed location of the
11 public art;

12
13 2. The percent cost of the public art, including proof thereof,
14 figured by the following formula:

15
$$P = (AC/PC) * 100$$

16 Where:

17 P = Percent public art cost

18 AC = Cost of public art

19 PC = Total cost of project as identified on
20 building permits job value

21
22 3. A representation of the proposed artwork. The
23 representation may include an illustration, character sketch,
24 model, photograph or other means of visually conveying
25 the proposed public artwork, in accordance with the
26 definition of ‘public art’ contained in Chapter 4 of the City
27 of Tampa Code of Ordinances. If, for any reason, the ~~city~~
28 ~~planning department questions whether~~ public art manager
29 ~~is unable to approve the proposed public art based on the~~
30 ~~the proposed art piece is in compliance with the public art~~
31 ~~definition as set forth in this chapter noted above,~~ the
32 representation shall be referred to the public arts
33 committee. The public arts committee shall make a
34 determination as to compliance with the definition of public
35 art. The public arts committee shall not review the artistic
36 expression or merit of the representation. The public arts
37 committee shall transmit its review findings in writing
38 within sixty (60) days to the ~~city planning department~~
39 public art manager and urban design manager. The property
40 owner shall pay a fee, to be established by resolution, for
41 the review conducted or commissioned by the public arts
42 committee.”
43
44

1 **Section 5.** That “**Sec. 27-456. Development design approval and**
2 **procedures.**” is hereby amended by adding the underlined language and deleting the
3 stricken language as follows:
4

5 **“Sec. 27-456. Development design approval and procedures.**

6
7 (b) Review procedure.

8
9 (2) *Submission requirements.* All applications for design approval shall
10 contain, at a minimum, the following items (as determined by the zoning
11 administrator and urban design manager):

12
13 g. Exterior perspective (character sketch) in color at the pedestrian
14 level (~~all sides fronting private or public rights-of-way~~ at least
15 two(2) prominent sides). This drawing may be a sketch perspective
16 rendered in sufficient detail using any color medium such as
17 markers or colored pencil, etc.”
18

19
20 **Section 6.** That “**Sec. 27-456.1. Designation of Corridors.**” is hereby
21 amended by adding the underlined language and deleting the stricken language as
22 follows:
23

24 **“Sec. 27-456.1. Designation of Corridors.**

25
26 (a) *Designation of Gateways.* Iconic elements and public art help to provide
27 neighborhood identity at gateway locations throughout the Channel District. Where
28 appropriate, provide gateway monuments through local artists design competitions.
29 Gateways shall occur in several key locations in the Channel District. See Figures
30 19-1(a) and (b) for a map of gateway locations.
31

32 (3) Standard streetscape design for the District ~~includes the following basic~~
33 ~~requirements:~~ shall adhere to the applicable design palette, as depicted in
34 Figures 19-2 through 19-9. For those developments that propose streetscape
35 improvements above the minimum standard to achieve bonus
36 FAR/intensity, the proposed design must exceed those depicted herein.
37

38 a. ~~10’ wide sidewalks~~

39 b. ~~Street trees (shade variety) at a minimum 30’ intervals~~

40 c. ~~Inclusion of on street parking (9’ x 24’ stalls)~~

41 d. ~~Placement of trash receptacles, benches, transit stops, and decorative~~
42 ~~street lighting~~

43 e. ~~For those developments that propose streetscape improvements~~
44 ~~above the minimum standard to achieve bonus FAR/intensity, the~~
45 ~~proposed design shall meet adhere to the applicable design palette,~~
46 ~~as depicted in Figures 19-2 through 19-9.~~

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3 **Section 7.** That “**Sec. 27-457.2. Channel District bonus methodology and**
4 **calculation; list of bonus amenities.**” is hereby amended by adding the underlined
5 language and deleting the stricken language as follows:
6

7 **“Sec. 27-457.2. Channel District bonus methodology and calculation; list of bonus**
8 **amenities.**

9
10 (d) *Channel District Bonus Amenities.*

11
12 The following list represents those bonus amenities identified as applicable to the
13 City of Tampa CBD Periphery, per the Future Land Use Element of the Tampa
14 Comprehensive Plan and identified in the “Channel District Community
15 Redevelopment Area Strategic Action Plan”:
16

17 (13) Enhanced Landscaping (that portion that exceeds the minimum design
18 standards set forth in Figures 19-2 through 19-9).”
19
20

21 **Section 8.** That “**Sec. 27-461. South Howard Commercial Overlay District**
22 **Development Design Standards.**” is hereby amended by adding the underlined language
23 and deleting the stricken language as follows:
24

25 **“Sec. 27-461. South Howard Commercial Overlay District Development Design**
26 **Standards.**

27
28 (e) *Variances.* Any property owner in the South Howard Commercial Overlay
29 District seeking a variance from these design standards or from those
30 requirements referenced in section 27-213(e)(1)a214(a). through c. shall file this
31 application for variance with the ARC staff administrator in accordance with the
32 procedures set forth in section 27-214.”
33
34

35 **Section 9.** That “**Sec. 27-465. East Tampa Overlay District Design**
36 **Guidelines.**” is hereby amended by adding the underlined language and deleting the
37 stricken language as follows:
38

39 **“Sec. 27-465. East Tampa Overlay District Design Guidelines Standards.**

40
41 (c) *Compliance.* Each application for new construction or major renovation, as
42 defined in Chapter 27, City of Tampa Code of Ordinances, and/or any
43 development undergoing a change of use/increase of intensity review, shall
44 comply with all applicable overlay district and underlying zoning district
45 standards and, if applicable, those specific standards outlined in the city council
46 approved site plan. In cases of conflict, the more restrictive standard(s) shall
47 apply. These are the minimum requirements that must be met in order to obtain

1 design approval. ~~Each application for residential or non-residential project which~~
2 ~~requires approval by the city council or the variance review board, through the~~
3 ~~public hearing process, is required to be submitted for review by the East Tampa~~
4 ~~Community Revitalization Partnership (CRP). A copy of the application,~~
5 ~~including a site plan, shall be required to be filed with the East Tampa CRP as~~
6 ~~part of the application submittal requirement.~~
7

8 Alternative design concepts may be considered and approved by the zoning
9 administrator (and/or designee) if consistent with the above stated purpose and
10 intent. Any person aggrieved by any order, requirement, decision, or
11 determination of the zoning administrator with regard to these design standards
12 may appeal that order, requirement, decision, or determination by filing a petition
13 with the variance review board for an administrative appeal in accordance with
14 section 27-373(a). The variance review board shall hold a public hearing and is
15 not limited in its review to those matters reviewed by the zoning administrator,
16 but may consider testimony or evidence from the applicant, the city staff and the
17 public to better understand the purpose and intent of the overlay district and the
18 character of the surrounding neighborhood. The variance review board shall make
19 final determination as to whether the alternative design concept is consistent with
20 the development standards of this section and with the above stated purpose and
21 intent.”
22

23
24 **Section 10.** That **“Sec. 27-466. West Tampa Overlay District**
25 **Development Design Standards.”** is hereby amended by adding the underlined language
26 and deleting the stricken language as follows:
27

28 **“Sec. 27-466. West Tampa Overlay District Development Design Standards.**
29

30 (c) *Compliance.* Each application for new construction or major renovation, as
31 defined in Chapter 27, City of Tampa Code of Ordinances, and/or any
32 development underground a change of use/increase of intensity review, shall
33 comply with all applicable overlay district and underlying zoning district
34 standards and, if applicable, those specific standards outlined in the city council
35 approved site plan. In cases of conflict, the more restrictive standard(s) shall
36 apply. These are the minimum requirements that must be met in order to obtain
37 design approval. ~~Each application for residential or non-residential project which~~
38 ~~requires approval by the city council or the variance review board, through the~~
39 ~~public hearing process, is required to be submitted for review by the West Tampa~~
40 ~~Community Development Corporation (CDC). A copy of the application,~~
41 ~~including a site plan, shall be required to be filed with the West Tampa CDC as~~
42 ~~part of the application submittal requirement.~~
43

44 Alternative design concepts may be considered and approved by the zoning
45 administrator (and/or designee) if consistent with the above stated purpose and
46 intent. Any person aggrieved by any order, requirement, decision, or
47 determination of the zoning administrator with regard to these design standards

1 may appeal that order, requirement, decision, or determination by filing a petition
2 with the VRB for an administrative appeal in accordance with section 27-373(a).
3 The VRB shall hold a public hearing to better understand the purpose and intent
4 of the overlay district and the character of the surrounding neighborhood. The
5 VRB shall make the final determination as to whether the alternative design
6 concept is consistent with the development standards of this section and with the
7 above stated purpose and intent.”
8
9

10 **Section 11.** That “**Sec. 27-468. Kennedy Boulevard Corridor District**
11 **Development Design Standards.**” is hereby amended by adding the underlined language
12 and deleting the stricken language as follows:
13

14 **“Sec. 27-468. Kennedy Boulevard Corridor District Development Design Standards.**

15
16 (3) Streetscape lighting standards (Kennedy Boulevard right-of-way only).

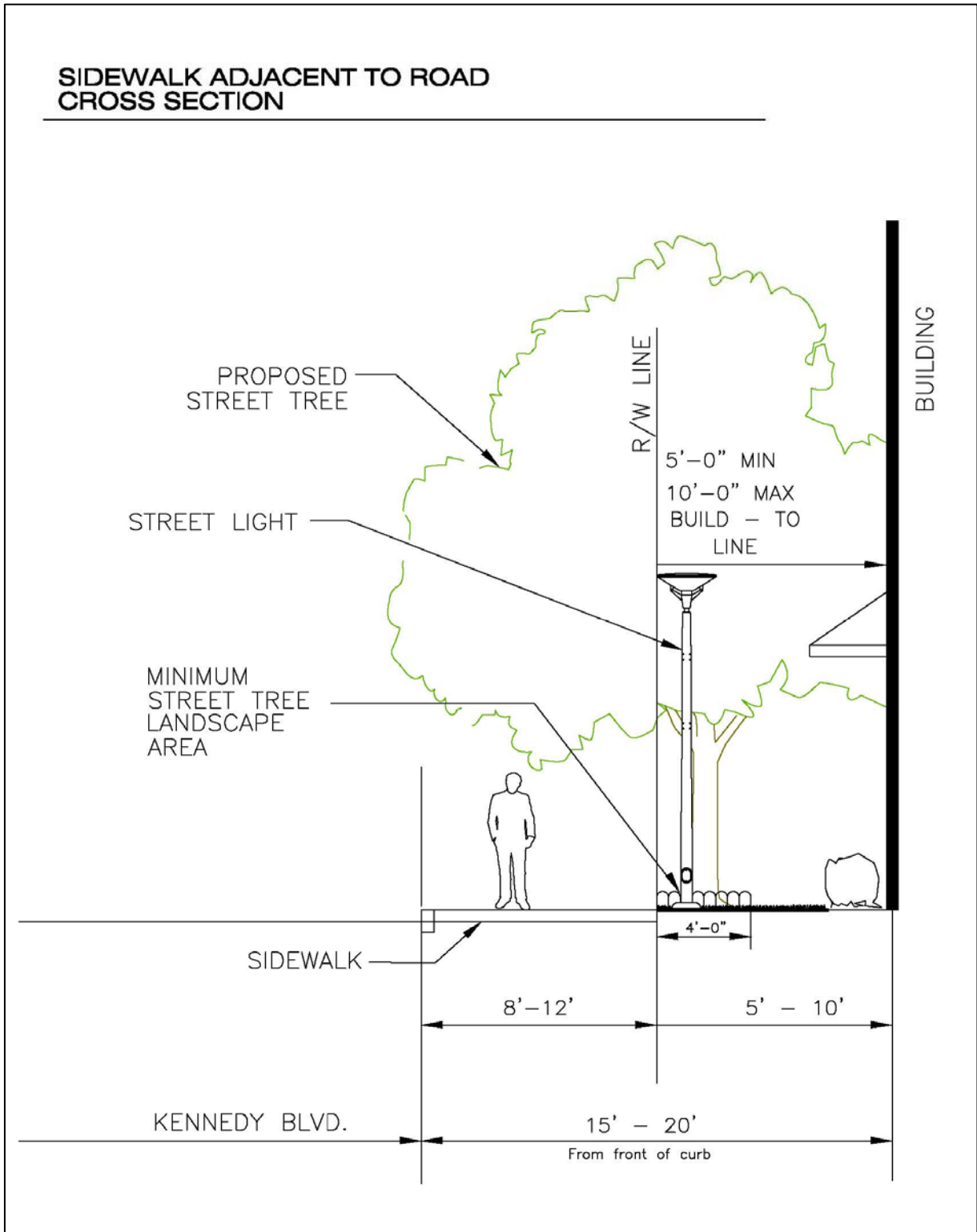
17
18 (c) Light poles shall be placed on private property immediately adjacent to the
19 public right-of-way/public sidewalk, in direct alignment with the
20 perpendicular brick bands that lie within the public sidewalk, and at an
21 interval of 56’ on-center based on that brick band pattern.
22

23 ~~(d) Light poles located closest to street intersections shall have a triple head or~~
24 ~~3 lamp fixture design. All other light poles along the Kennedy Boulevard~~
25 ~~corridor shall have a double head or 2 lamp fixture design.~~
26

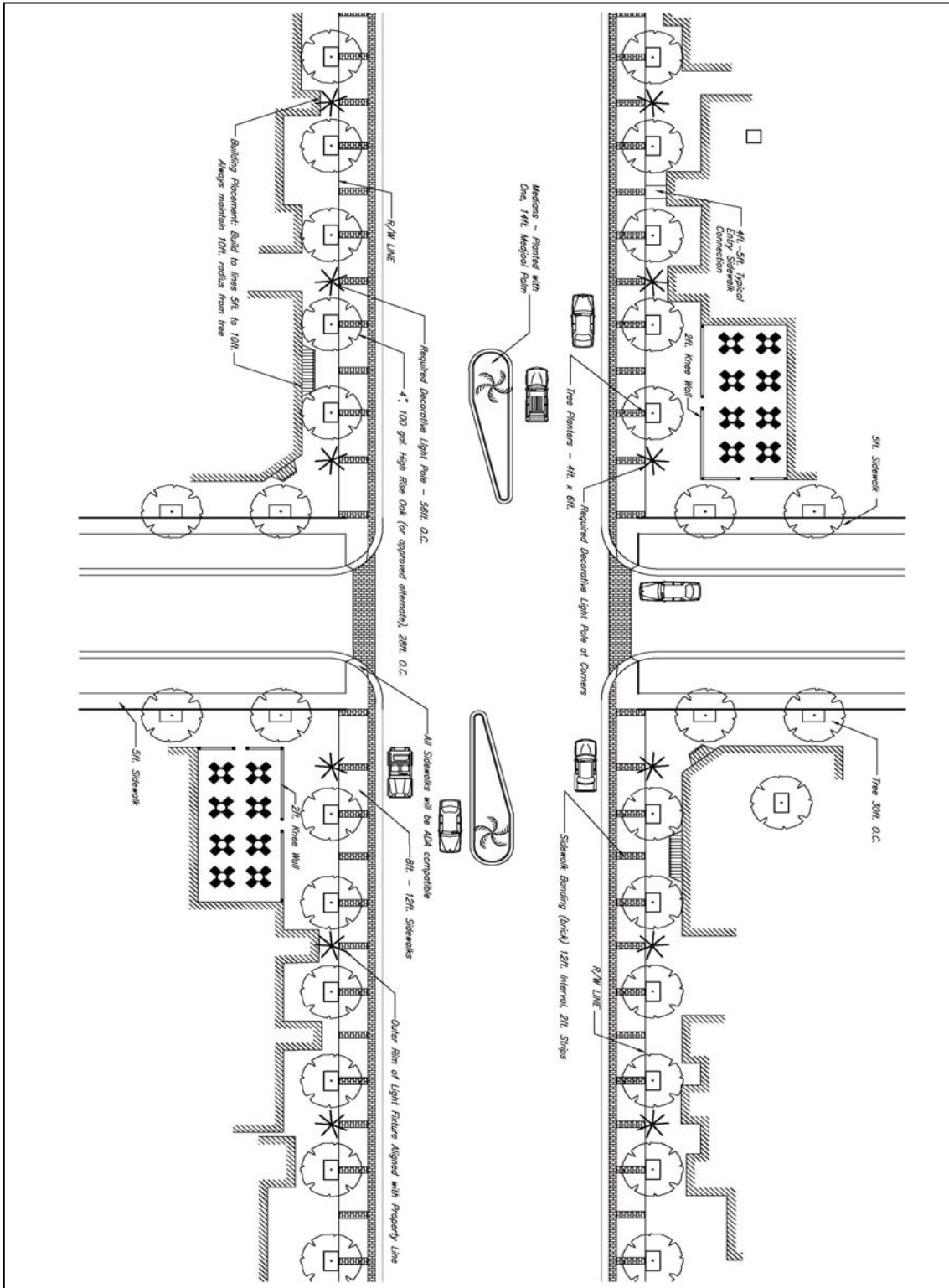
27 (e) Light poles shall stand ~~between 10’ and 18’~~ approxiamtely 13’ in height, as
28 measured from finished grade, and shall be designed to provide safe
29 pedestrian scale lighting.
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“Sidewalk Adjacent to Road Cross Section”:



“Streetscape Plan View”:



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3 **Section 12.** That “**Sec. 27-545. Definitions.**” is hereby amended by adding
4 the underlined language and deleting the stricken language as follows:
5

6 **“Sec. 27-545. Definitions.**

7
8 The following words, terms and phrases, when used in this chapter, shall have the
9 meanings ascribed to them in this section, except where the context clearly indicates a
10 different meaning:
11

12 *Public art:* ~~A tangible creation by an artist or a collaboration of design professionals~~
13 ~~including but not limited to paintings, sculptures, stained glass, engravings, statuettes, bas-~~
14 ~~reliefs, carvings, frescoes, mobiles, murals, collages, mosaics, tapestries, photographs,~~
15 ~~drawings, monuments and fountains~~ see definition in Chapter 4, City of Tampa Code of
16 Ordinances.”
17

18
19 **Section 13.** That should a court of competent jurisdiction declare any part of
20 this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by
21 such determination as to the invalid part.
22

23
24 **Section 14.** That all ordinances or parts of ordinances in conflict herewith are
25 hereby repealed to the extent of any conflict.
26

27
28 **Section 15.** That this ordinance shall take effect on October 15, 2008.
29

30 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
31 TAMPA, FLORIDA, ON _____.

32
33 ATTEST:

34
35 _____
36 CHAIRMAN/CHAIRMAN PRO-TEM
37 CITY COUNCIL
38

39
40 _____
41 CITY CLERK/DEPUTY CITY CLERK
42

43 APPROVED BY ME ON _____
44
45 _____
46

PAM IORIO, MAYOR

APPROVED AS TO LEGAL
SUFFICIENCY BY:

E/S
JULIA MANDELL COLE
SENIOR ASSISTANT CITY ATTORNEY

K:/Debbie/Ordinances/Chapter27/Ord comp changes – 7-21-08v1

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