

ORDINANCE NO. 2009-_____

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, MAKING COMPREHENSIVE REVISIONS TO CITY OF TAMPA CODE OF ORDINANCES, CHAPTER 27 (ZONING); AMENDING SECTION 27-138, OPEN STORAGE; 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 that it is consistent 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.

NOW, THEREFORE,

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

Section 1. That “**Sec. 27-138. Open storage.**” is hereby amended by adding the underlined language and deleting the stricken language as follows:

“Sec. 27-138. Open storage.

(a) Screening of open storage yards, except for storage on those lands within the boundary described in (c) below, shall meet the following standards:

~~(1) Outdoor storage areas shall not be located in front or corner yards, when located across any public right-of-way from a residential use.~~

(1)(2) Outdoor storage areas shall be screened from view of any arterial or collector street, as shown on the major street map, as follows: When an outdoor storage area abuts a collector or arterial street, the method of shielding shall consist of solid walls or solid fences at least six (6) feet in height, with access from streets only through solid gates, which shall be

1 closed when not in use. Shielding shall run at least one hundred (100) feet
2 back from the street property line, unless an existing permanent structure
3 shields the storage area.
4

5 (2)(3) When an outdoor storage area immediately abuts or is separated by an
6 alley from a residential use or a residentially zoned district, the method of
7 shielding shall consist of an architecturally finished masonry wall, at least
8 six (6) feet in height along the boundary of the storage areas and the entire
9 residential district. Required wall height and maximum stacking/pile
10 height is set forth in Table 6-2 below. The wall shall be planted with a
11 vine at an interval of ten (10) feet on center. Please refer to Chapter 13 for
12 preferred species of vine. Where conflict(s) may exist between this
13 section, and section 27-130, Buffers and screening conflict and Chapter
14 13, the more restrictive regulation shall apply.
15

16 (3)(4) When an outdoor storage area does not abut, but is within two hundred
17 (200) feet of a residential district, the method of shielding shall consist of
18 an architecturally finished masonry wall or opaque decorative fencing, at
19 least six (6) feet in height, so that the storage area is not visible from the
20 residential district, with access only through solid gates, which shall be
21 closed except when in use.
22

23 (b) Open storage areas shall be kept in a neat and orderly arrangement; materials may
24 not be stacked in piles higher than six (6) feet (except for storage on those lands
25 within the boundary described in (c) below) and shall not be visible from
26 surrounding properties or rights-of-way. Pile heights may exceed six (6) feet in
27 height, in the IH zoning district subject to the following:
28

29 (1) Requirements for stacking heights within open storage areas that do not
30 abut residential use or residential district:
31

32 Table 6-1:

<u>Required</u> <u>Fence/wall</u> <u>height</u>	<u>Maximum</u> <u>pile/stacking</u> <u>height</u>	<u>Minimum</u> <u>front</u> <u>setback</u>	<u>Minimum</u> <u>side setback</u>	<u>Minimum</u> <u>corner</u> <u>setback</u>	<u>Minimum</u> <u>rear setback</u>
<u>6'</u>	<u>6'</u>	<u>10'</u>	<u>3'</u>	<u>10'</u>	<u>3'</u>
<u>8'</u>	<u>8'</u>	<u>10'</u>	<u>3'</u>	<u>10'</u>	<u>3'</u>
<u>8'</u>	<u>20'</u>	<u>20'</u>	<u>10'</u>	<u>20'</u>	<u>10'</u>
<u>8'</u>	<u>40'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>

33
34 (2) Requirements for stacking heights within open storage areas that
35 immediately abut or are separated by an alley from a residential use or
36 residential district:
37

1 Table 6-2:
2

<u>Required Fence/wall height</u>	<u>Maximum pile/stacking height</u>	<u>Minimum front setback</u>	<u>Minimum side setback</u>	<u>Minimum corner setback</u>	<u>Minimum rear setback</u>
<u>6'</u>	<u>6'</u>	<u>10'</u>	<u>6'</u>	<u>10'</u>	<u>6'</u>
<u>8'</u>	<u>8'</u>	<u>10'</u>	<u>8'</u>	<u>10'</u>	<u>8'</u>

3
4 (c) However, the restrictions set forth in 27-138(a) and this subsection(b) shall not
5 apply to the geographic area bordered by Ybor and Sparkman Channels and Cut
6 D to the west; the Leroy Selmon Crosstown Expressway to the north; and 21st
7 Street as it merges southward into 20th Street and continues into Causeway
8 Boulevard as the eastern border. This geographic area also includes the area south
9 of Causeway Boulevard to the City of Tampa City limits to the south, as
10 Causeway Boulevard extends eastward. This geographic area shall comply with a
11 height restriction of ninety (90) feet.”
12

13 **Section 2.** That should a court of competent jurisdiction declare any part of
14 this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by
15 such determination as to the invalid part.
16

17 **Section 3.** That all ordinances or parts of ordinances in conflict herewith are
18 hereby repealed to the extent of any conflict.
19

20 **Section 4.** That this ordinance shall take effect on December 15, 2009.
21

22 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
23 TAMPA, FLORIDA, ON _____.
24

25 ATTEST:

26 _____
27 CHAIRMAN/CHAIRMAN PRO-TEM
28 CITY COUNCIL
29

30 _____
31 CITY CLERK/DEPUTY CITY CLERK

32 APPROVED BY ME ON _____
33

34 _____
35 PAM IORIO, MAYOR

36 APPROVED AS TO LEGAL
37 SUFFICIENCY BY:

38 _____ E/S _____
39 JULIA MANDELL COLE
40 SENIOR ASSISTANT CITY ATTORNEY
41

42 K:/Debbie/Ordinances/Chapter27/Ord_Open Storage_10.16.09_v3