

ORDINANCE NO. 2022-136

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, **RELATING TO ALCOHOLIC BEVERAGE SALES NOTICE TIMEFRAME**, MAKING REVISIONS TO CITY OF TAMPA CODE OF ORDINANCES, CHAPTER 27 (ZONING CODE); AMENDING SECTION 27-318, EXPIRATION, SUSPENSION, AND REVOCATION OF APPROVALS FOR ALCOHOLIC BEVERAGE SALES; POSTING OF NOTICE FOR DISCONTINUANCE OF SALES; EVIDENCE OF RESUMPTION OF SALES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Section 27-151, City of Tampa Code, provides that administrator of the Land Development Code shall examine the provisions of this chapter and may submit a bi-annual report to the city council recommending changes and amendments, if any, that are desirable in the interest of furthering the public health, safety and general welfare; and,

**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. 27-318. "Expiration, suspension, and revocation of approvals for alcoholic beverage sales; posting of notice for discontinuance of sales; evidence of resumption of sales."** is hereby amended by adding the underlined language and deleting the stricken language as follows:

**"Sec. 27-318. - Expiration, suspension, and revocation of approvals for alcoholic beverage sales; posting of notice for discontinuance of sales; evidence of resumption of sales.**

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E2022-8 CH27

1                   ...*(c) Revocation or suspension of sales for cause.*

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3                   ...*(2) For purposes of this section, the terms "convicted" or "conviction" shall mean*  
4 *being found guilty of, or entering a plea of nolo contendere to, regardless of adjudication,*  
5 *a violation of a municipal or county ordinance or state or federal law, as provided herein.*  
6 *The terms "violation" or "violated" shall mean being found in non-compliance with any*  
7 *part of this Code ~~and shall include the terms "convicted" or "conviction,"~~ as determined*  
8 *by the reviewing city department or city council.*

9  
10                   *(d) Notice to owner and licensee of intention to revoke or suspend; public hearing.*

11  
12                   Prior to revoking or suspending, city council shall hold a noticed public hearing. The city  
13 clerk shall notify the owner of the property and the holder of the alcoholic beverage  
14 license by certified mail pertaining to the property of its intention to revoke or suspend  
15 the sale of alcoholic beverages from the subject property. City council shall grant the  
16 affected party a public hearing at a time and place to be specified in the notice and at a  
17 time not less than thirty (30) days from the date of the notice. Whenever city council  
18 determines that conditions are so unsafe as to immediately endanger life, limb, health or  
19 property, city council shall grant that affected party an emergency public hearing at a time  
20 and place to be specified in the notice at a time not less than fifteen (15) days from the  
21 date of the notice. If city council suspends or revokes the sale of alcoholic beverages from  
22 a property, the city shall cause the subject property to be posted with a notice of such  
23 suspension or revocation."  
24

25  
26                   **Section 2.** That should a court of competent jurisdiction declare any part of this  
27 Ordinance invalid the remaining parts hereof shall not, in any way, be affected by such  
28 determination as to the invalid part.


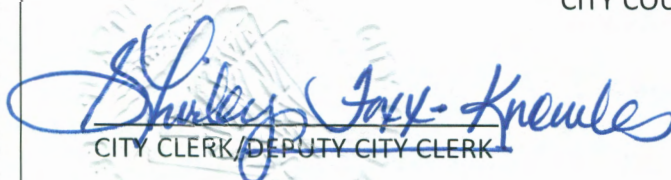
29  
30                   **Section 3.** That all ordinances or parts of ordinances in conflict herewith are  
31 hereby repealed to the extent of any conflict.  
32  
33  
34

1           **Section 4.**     That this ordinance shall take effect immediately upon becoming a  
2 law.


3  
4           PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA,  
5 ON AUG 25 2022.

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7  
8 ATTEST:

  
\_\_\_\_\_  
CHAIRMAN/CHAIRMAN PRO-TEM  
CITY COUNCIL

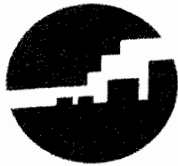
  
  
\_\_\_\_\_  
CITY CLERK/DEPUTY CITY CLERK

19 APPROVED BY ME ON 8/30/22

  
\_\_\_\_\_  
JANE CASTOR, MAYOR

25 APPROVED AS TO LEGAL  
26 SUFFICIENCY BY:

27  
28  
29 E/S  
30 SUSAN JOHNSON-VELEZ  
31 SENIOR ASSISTANT CITY ATTORNEY II  
32



**Hillsborough County  
City-County  
Planning Commission**

## **Resolution: Sec 27. LDC Text Amendment – Alcoholic Beverage Sales Enforcement**

**June 13, 2022**

WHEREAS, the Hillsborough County City-County Planning Commission developed a Comprehensive Plan for the City of Tampa, pursuant to the provisions of Chapter 163, Florida Statutes, which was originally adopted by Tampa City Council on January 7, 2016, as amended; and

WHEREAS, the Hillsborough County City-County Planning Commission received a publicly initiated LDC text amendment; and

WHEREAS, the Hillsborough County City-County Planning Commission staff reviewed Sec. 27 LDC Text Amendment relating to Alcoholic Beverage Sales Enforcement; and

WHEREAS, the Hillsborough County City-County Planning Commission reviewed Sec. 27 LDC Text Amendment – Alcoholic Beverage Sales Enforcement, and considered all relevant information, including the adopted goals, objectives, and policies of the *Imagine 2040: Tampa Comprehensive Plan* as follows:

### ***Overall Residential Development and Redevelopment***

***LU Objective 9.3:*** *Compatible development and redevelopment to sustain stable, neighborhoods and ensure the social and economic health of the City.*

***LU Policy 9.3.6:*** *Recognize that establishments licensed to sell alcoholic beverages may have potentially, deleterious effects on neighborhoods. In order to partially remedy this situation, the City shall explore, and where appropriate, adopt methods that require the petitioners requesting waivers of the minimum distance requirements related to the sale of alcoholic beverages to provide appropriate mitigation for any adverse impacts they may create upon surrounding uses as set forth in the City code.*

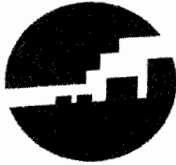
### ***Technical and Financial Assistance***

***LU Objective 13.4:*** *Ensure that municipal codes remain sensitive to the changing trends and needs of Tampa's neighborhoods by reviewing them on a regular basis.*

***LU Policy 13.4.1:*** *Continue reviewing all land development regulations, to ensure consistency with the Comprehensive Plan update.*

WHEREAS, Planning Commission staff determined that Sec. 27 LDC Text Amendment relating to Alcoholic Beverage Sales Enforcement is consistent with the goals, objectives, and policies of the *Imagine 2040: Tampa Comprehensive Plan*.

NOW, THEREFORE, BE IT RESOLVED, that the Hillsborough County City-County Planning Commission finds the item, Sec. 27 LDC Text Amendment relating to Alcoholic Beverage



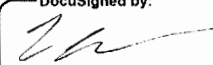
**Hillsborough County  
City-County  
Planning Commission**

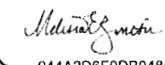
Sales Enforcement, **CONSISTENT** with the *Imagine 2040: Tampa Comprehensive Plan* and forwards it to Tampa City Council for approval.

**The above resolution for Sec. 27 LDC Text Amendment relating to Alcoholic Beverage Sales Enforcement was adopted by the Planning Commission on June 13, 2022.**

By motion of Commissioner Bernstein  
Seconded by Commissioner Buzza

- |  |               |
|--|---------------|
| <b>Commissioner Joseph, Chair</b>                | <b>Aye</b>    |
| <b>Commissioner Powell, Vice-Chair</b>           | <b>Aye</b>    |
| <b>Commissioner Bernstein</b>                    | <b>Aye</b>    |
| <b>Commissioner Buzza</b>                        | <b>Aye</b>    |
| <b>Commissioner Cardenas</b>                     | <b>Aye</b>    |
| <b>Commissioner Fernandez</b>                    | <b>Absent</b> |
| <b>Commissioner Handy</b>                        | <b>Absent</b> |
| <b>Commissioner Kress, AICP, Member-at-Large</b> | <b>Aye</b>    |
| <b>Commissioner Louk</b>                         | <b>Absent</b> |
| <b>Commissioner Saria</b>                        | <b>Aye</b>    |

DocuSigned by:  
  
09DCAB99B571461  
Commissioner Joseph, **Chairman**

DocuSigned by:  
  
944A2D6F0DB0485  
Melissa Zornitta, AICP  
Executive Director

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## NOTICE OF PUBLIC HEARING

ON **August 25, 2022 @ 9:30 A.M.** IN THE TAMPA CITY COUNCIL CHAMBERS, OLD CITY HALL, 315 E. KENNEDY BLVD., 3RD FLOOR, TAMPA, FLORIDA, A PUBLIC HEARING WILL BE HELD BY THE TAMPA CITY COUNCIL TO CONSIDER THE FOLLOWING ORDINANCES FOR ENACTMENT:

### File No. SU2-22-03

An ordinance approving a special use permit (SU-2); approving a medical office in an RO-1 (residential office) zoning district in the general vicinity of 3606 West Swann Avenue, in the City of Tampa, Florida, and as more particularly described in Section 1 hereof; providing an effective date.

### File No. REZ-22-26

An ordinance rezoning property in the general vicinity of 8102 North Temple Crest Circle and 8101 North 39th Street, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) CG (commercial general) and CN (commercial neighborhood) to PD (planned development, residential, single-family attached); providing an effective date.

### File No. REZ-22-37

An ordinance rezoning property in the general vicinity of 1534, 1604, 1608 and 1614 North Nebraska Avenue, 711, 805 and 813 East Henderson Avenue, 1313 East Estelle Street and Folio numbers 192662.0000 and 192619.0000, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RM-16 (residential-multi-family), CG (commercial general) and YC-5 (Ybor City residential) to PD (planned development, residential, single-family attached) and yc-9 (Ybor City residential); providing an effective date.

### File No. REZ-22-38

An ordinance rezoning property in the general vicinity of 3201 West Tampa Bay Boulevard and 4005 North Lincoln Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential, single-family) and PD (planned development) to PD (planned development, residential, single-family attached); providing an effective date.

### File No. REZ-22-40

An ordinance rezoning property in the general vicinity of 110 South Boulevard, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) OP (office professional) to PD (planned development, residential, multi-family, strip shopping center, retail, bank, drive-in); providing an effective date.

### File No. E2022-8 CH 27

An Ordinance of the City of Tampa, Florida, relating to Commercial Vehicles in residential districts, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning code); Amending Section 27-43, Definitions; Amending Section 27-283.11, Vehicle parking; Repealing all ordinances or parts of ordinances in conflict therewith; Providing for severability; Providing an effective date.

### File No. E2022-8 CH 27

An Ordinance of the City of Tampa, Florida, relating to Alcoholic Beverage Sales Notice Timeframe, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning code); Amending Section 27-318, Expiration, suspension, and revocation of approvals for alcoholic beverage sales; posting of notice for discontinuance of sales; evidence of resumption of sales; Repealing all ordinances or parts of ordinances in conflict therewith; Providing for severability; Providing an effective date.

### File No. E2022-8 CH 27

An Ordinance of the City of Tampa, Florida, relating to Adding Graywater as a Bonus Provision, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and Land Development); Amending Section 27-140, Bonus Provisions; Repealing all ordinances or parts of ordinances in conflict therewith; Providing for severability; Providing an effective date.

### File No. E2022-8 CH 27

An Ordinance of the City of Tampa, Florida, relating to Development Review and Compliance Staff (DRC), making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and Land Development); Amending Section 27-43, Definitions; Amending Section 27-66, Intent and purpose; Amending Section 27-67, Duties; Providing for repeal of all ordinances or parts of ordinances in conflict therewith; Providing for severability; Providing an effective date.

### File No. E2022-8 CH 27

An Ordinance of the City of Tampa, Florida, relating to Street Cafe, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and Land Development); Amending Section 27-43, Definitions; Amending Section 27-127, Classes of special use permits; agent or body responsible for each general procedure; Providing for repeal of all ordinances or parts of ordinances in conflict therewith; Providing for severability; Providing an effective date.

### File No. E2022-8 CH 27

An Ordinance of the City of Tampa, Florida, relating to Off-Street Parking Spaces, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and Land Development); Amending Section 27-283.7, Number of off-street parking spaces; Providing for repeal of all ordinances or parts of ordinances in conflict therewith; Providing for severability; Providing an effective date.

### File No. VAC 22-03

An Ordinance of the City of Tampa, Florida, vacating, closing, discontinuing and abandoning those portions of Mississippi Avenue rights-of-way located South of 2nd Avenue, North of Lee Roy Selmon Expressway, East of Channelside Drive and West of North 15th Street, and that portion of 3rd Avenue located South of 4th Avenue, North of 2nd Avenue, West of Channelside Drive and East of Nick Nuccio Parkway, all within the Plat of Lesley's subdivision in the City of Tampa, Hillsborough County, Florida, and as more fully described in Section 2 hereof, subject to certain covenants, conditions and restrictions as more particularly set forth herein; providing for enforcement and penalties for violations; providing for definitions, interpretations and repealing conflicts; providing for severability; providing an effective date.

### File No. REZ-21-114

An Ordinance rezoning property in the general vicinity of 920 Gomillion Court, 1400 North Channelside Drive, 717 and 802 North 12th Street, 1302, 1307, 1405 and 1417 East 2nd Avenue, 1301, 1306 and 1419 East 4th Avenue, 1205 and 1315 East 5th Avenue, and 1302 and 1402 North 15th Street, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) IG (industrial general), PD (planned development), YC-2 (Ybor City residential), YC-6 (community commercial), YC-9 (Ybor City planned development), IH (industrial heavy) and RM-24 (residential, multi-family), to PD-A (planned development, alternative) and YC-9 (Ybor City planned development), (residential, multi-family and commercial uses); providing an effective date.

SAID ORDINANCES MAY BE INSPECTED AT THE OFFICE OF THE CITY CLERK, CITY HALL, 3RD FLOOR CITY HALL, 315 E. KENNEDY BLVD., TAMPA, FL, DURING REGULAR BUSINESS HOURS, 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE DATE OF THE MEETING.

INTERESTED PARTIES MAY APPEAR AND BE HEARD AT SAID HEARING.

SHIRLEY FOXX-KNOWLES, CMC  
CITY CLERK