

ORDINANCE NO. 2023- 135

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, **RELATING TO TAMPA HEIGHTS OVERLAY DISTRICT**, MAKING REVISIONS TO CITY OF TAMPA CODE OF ORDINANCES, CHAPTER 27 (ZONING AND LAND DEVELOPMENT); AMENDING SECTION 27-156, OFFICIAL SCHEDULE OF DISTRICT REGULATIONS; CREATING SECTION 27-244, TAMPA HEIGHTS OVERLAY DISTRICT DEVELOPMENT STANDARDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the following amendment to Chapter 27, Code of Ordinances, is a privately-initiated amendment; and,

WHEREAS, the City Council of the City of Tampa transmitted the following amendment to Chapter 27, Code of Ordinances, to the Hillsborough County City-County Planning Commission for recommendation; and,

WHEREAS, on August 14, 2023, the Hillsborough County City-County Planning Commission conducted a public hearing on this ordinance and recommended a finding that it is consistent with the Tampa Comprehensive Plan; and,

WHEREAS, the City Council of the City of Tampa has determined that the following amendment promotes and protects the general health, safety, and welfare of the residents of the City of Tampa, is consistent with the Comprehensive Plan, and does not result in more restrictive or burdensome land development regulations; 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. 27-156. Official schedule of district regulations." is hereby amended by adding the underlined language as follows:

"Sec. 27-156. Official schedule of district regulations.

...

TABLE 4-1

SCHEDULE OF PERMITTED, ACCESSORY, AND SPECIAL USES BY DISTRICT*

TABLE 4-1

SCHEDULE OF PERMITTED, ACCESSORY, AND SPECIAL USES BY DISTRICT*

EXPAND

***Legend:**

X—Permitted principal use

S1—Special use—Zoning administrator review

S2—Special use—City council review

A—Permitted accessory use

Blank—Prohibited use

Us es	R S	R S	R S	R S	R S	R M	R M	R M	R M	R M	R M	R M	R O	R O	O P	O P	C N	C G	C I	I G	I H	P P	U - C
	- 1 5 0	- 1 0 0	- 7 5	- 6 0	- 5 0	- 1 2	- 1 6	- 1 8	- 2 4	- 3 5	- 5 0	- 7 5	² 6 1 2 6	² - 1 2 6		² - 1 1 5	⁶						
Use Group C																							
D w e l l i n g u n i t, a c c e s s o r y ¹⁷				<u>X</u> / S 1	<u>X</u> / S 1	<u>X</u> / S 1	<u>X</u> / S 1	<u>X</u> / S 1	<u>X</u> / S 1	<u>X</u> / S 1													

Notes:

...17 The accessory dwelling unit use is limited to the Tampa Heights Overlay District, East Tampa Overlay boundaries (Article VI, Division 2; Sec. 27-240), and the area of the City North of Sligh Avenue, South of Waters Avenue, West of Boulevard, and East of

1 Armenia Avenue. Use is permitted in Tampa Heights Overlay District in accordance
2 with section 27-244 of the Code...."

3 **Section 2.** That **"Sec. 27-244. Reserved."** is hereby created by adding the
4 underlined language as follows:

5
6 **"Sec. 27-244. Tampa Heights Overlay District Development Standards.**
7

8 (a) Area description. The Tampa Comprehensive Plan describes Tampa Heights as
9 being located in the Central Tampa Planning District and is considered a Historic Urban
10 Village neighborhood. The Tampa Heights Overlay District is an area which contains
11 commercial and residential development, national and local designated historic
12 properties and structures, and dedicated parks which spans over the Tampa Heights
13 community.

14
15 (b) Established boundaries and applicability. The "Overlay District", defined more
16 specifically as all land contained within the following boundary:

17 Commencing at the intersection of the center line of the right of way of North Boulevard
18 with the center line of the right of way of E. Dr. Martin Luther King, Jr. Boulevard (Point
19 of Beginning), proceed thence in an easterly direction along the center line of the right
20 of way of E. Dr. Martin Luther King, Jr. Boulevard to the westerly right of way line of
21 Interstate 275; proceed thence in a southerly direction along the westerly right of way
22 line of Interstate 275 to its intersection with the easterly right of way line of N. Marion
23 Street; then proceed in a westerly direction along the northerly right of way line of
24 Interstate 275 to its intersection with the center line of the right of way of N. Tampa
25 Street; thence proceed in a northerly direction along the center line of the right of way of
26 N. Tampa Street to its intersection with the center line of the right of way of W. Palm
27 Avenue; thence proceed in a westerly direction along the center line of the right of way
28 of W. Palm Avenue to its intersection with the center line of the right of way of N. Ola
29 Avenue; thence proceed in a northerly direction along the center line of the right of way
30 of N Ola Avenue to its intersection with the center line of the right way of W. Ross Avenue;
31 thence proceed in a westerly direction along the center line of W. Ross Avenue to its
32 intersection with the center line of the right of way of North Boulevard; thence proceed
33 in a northerly direction along the center line of the right of way of North Boulevard to
34 the Point of Beginning.

35
36 (c) Purpose and intent. The purpose of the Tampa Heights Overlay District is to guide
37 future development. The intent of these standards is to promote the unique character of
38 the area, support walkability, encourage transit-oriented development, and promote
39 housing options.

40
41 (d) Compliance and general administrative procedures. Each application for new
42 construction or major renovation as defined in Chapter 27, City of Tampa Code of
43 Ordinances, and/or any development undergoing a change of use/increase of intensity

1 review, shall comply with all applicable overlay district and underlying zoning district
2 standards and, if applicable, those specific standards outlined in the city council approved
3 site plan. In cases of conflict, the more restrictive standard(s) shall apply. The standards
4 herein shall constitute minimum requirements that must be met to obtain design
5 approval. Alternative design exceptions may be considered by the zoning administrator
6 or designee for those properties located in the Overlay District, if consistent with the
7 stated purpose and intent of this section.
8

9 (e) Residential development.

10 1. Lot of record established. Any residential lot of record, as defined by this
11 Code, existing as of September 1, 2022 and located within the boundaries
12 of the Tampa Heights Overlay District, shall be deemed to be conforming
13 and may be developed for any use permitted in the underlying zoning
14 district.

15 2. Site and building standards.

16 a. Orientation.

17 i. Front doors may be permitted in courtyards or interior
18 plazas, provided garage entrances are not oriented toward
19 the street.

20 b. Access & Driveways. These standards shall apply to all single-family
21 residential development. The following criteria are intended to
22 maintain safety within the right of way, minimize conflict points
23 between vehicles and pedestrians, reduce driveway proliferation,
24 and preserve the integrity of the curbside.

25 i. Vehicle access and flow should be designed to have minimal
26 impact on pedestrian circulation.

27 ii. If an existing lot is adjacent to an open and used public alley,
28 vehicular access to the site may be provided from the alley
29 as the primary vehicular access point provided it meets
30 minimum standards referenced in 27-283.12, off-street
31 parking space standards.

32 iii. All new driveways on non-functionally classified streets
33 should provide access to zoning lots less than seventy (70)
34 feet in width and should orient all new vehicular access
35 through an adjacent improved alley.

36 iv. Parcels which do not abut an alley and parcels which abut
37 an alley that is not navigable by vehicle as determined by
38 the City, may improve the alley to City standards, or provide
39 access from an adjacent public street pursuant to Table
40 244.1 below.
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<u>Minimum Lot Width</u>	<u>Maximum Driveway Width for New Driveways ^{1, 2}</u>
<u>70' or more</u>	<u>20'</u>
<u>50'-69'</u>	<u>10'</u>
<u>Less than 50'</u>	<u>10'</u>

Footnotes:

¹ For the purpose of this section, the term "driveway" means the portion of the traveled way within the right-of-way that connects the edge of the street to the parking area on the private property.

² Minimum width criteria measured as the narrowest width of the driveway between the edge of the roadway (not including flares) and the right of way line.

- v. New driveways on public streets should be located such that the edge of the driveway flare is within 1 foot of the extended property line. Pairing of driveways with adjacent parcels is encouraged.

c. Parking for residential uses.

- i. Garages shall not be required to be structurally integrated within the primary structure.
- ii. On-street parking. If on-street parking is available directly adjacent to the property, or is proposed directly adjacent by the applicant, the number of on-street parking spaces provided may count towards the total parking required for each development. The on-street parking spaces shall remain open to the public, shall not be designated for any specific use, and are subject to review and approval by the Mobility Department. If on-site parking is reduced pursuant to this section, the applicable standards in Section Sec. 27-244.(e)2.b. shall be met. On-Street parking in city right-of-way shall remain under the operation and management of the City of Tampa and may be altered at any time at the city's discretion.
- iii. Per section 27-283.12, all off-street parking spaces may utilize public alley right-of-way for maneuvering into and out of a legally sized parking space provided the provisions of that section are met. The total width of the public right-of-way of the alley may be counted toward the required

aisle width. This provision may only be used if the applicable standards in Section Sec. 27-244.(e)2.b. are met.

d. Accessory Structures.

- i. The height of an accessory structure may exceed fifteen (15) feet in height but shall not exceed the maximum height allowed in the underlying zoning district. In the Tampa Heights Local Historic District, accessory structures shall not exceed twenty-two feet six inches (22.5 feet) in height.
- ii. Accessory structures shall be limited to a maximum of one thousand one hundred (1,100) square feet in size.

e. *Accessory Dwelling Units.* Accessory dwelling units are permitted in all residential districts, including properties located in Local Historic Districts, provided the following conditions are met.

- i. Accessory Dwelling Units shall be required to provide one (1) parking space per unit on-site. On-site parking shall only be required for accessory dwelling units greater than 600 square feet in size. Tandem parking is permitted.
- ii. An accessory dwelling unit may be designed to be located within the single-family dwelling with a separate entrance or in an accessory structure.
- iii. At no time may the number of unrelated occupant(s) of an accessory dwelling unit exceed two (2).
- iv. An accessory dwelling unit may be separately metered for utilities

f. Front Porches. Front porches shall be permitted to encroach into the front setback up to ten (10) feet. This shall be permitted for multiple floors provided the ground floor porch is provided within the same setback.

(f) Commercial and Mixed-Use development.

1. Lot of record established. Any nonresidential lot of record, as defined by this Code, existing as of September 1, 2022, and located within the boundaries of the Tampa Heights Overlay District, shall be deemed to be conforming and may be developed for any use permitted in the underlying zoning district.

2. Parking design and access management.

- a. On street parking. If on-street parking is available directly adjacent to the property, or is proposed directly adjacent by the applicant, the number of on-street parking spaces provided may count towards the total parking required for each development. The on-

1 street parking spaces shall remain open to the public and shall not
2 be designated for any specific use.

3 b. Parking placement. On-site parking should be located in the side or
4 rear of the property for new construction built after the effective
5 date of this Overlay District.

6 c. Exemption. Any site fronting Franklin Street with less than twenty
7 thousand (20,000) square feet gross floor area of land is exempt
8 from minimum off-street parking requirements in Sec. 27-283.7.

9 d. Non-residential parking required. For non-residential development
10 and non-residential uses within a mixed-use development up to
11 twenty thousand (20,000) square feet gross floor area, parking is
12 required at the following ratio: 2 spaces per 1,000 square feet.
13 Structures under one thousand five hundred (1,500) square feet
14 gross floor area shall not be required to provide parking.

15 e. Parking offsets. For developments providing bicycle parking on site,
16 the following parking offsets shall apply: Up to 10% of required
17 parking may be off-set with the installation of bicycle racks at a rate
18 of 1 vehicle stall = 5 bicycle slots."
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21 **Section 3.** That should a court of competent jurisdiction declare any part of
22 this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by
23 such determination as to the invalid part.
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25 **Section 4.** That all ordinances or parts of ordinances in conflict herewith are
26 hereby repealed to the extent of any conflict.
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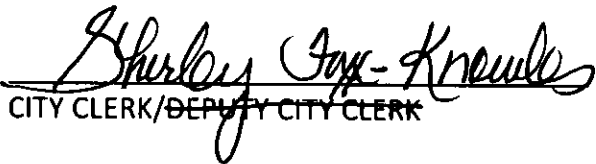
28
29 **Section 5.** That this ordinance shall take effect thirty (30) days after becoming
30 a law.
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1 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA,
2 ON OCT 05 2023.

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4 ATTEST:

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CITY COUNCIL

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CITY CLERK/DEPUTY CITY CLERK

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APPROVED BY ME ON 10/11/23

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JANE CASTOR, MAYOR

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APPROVED AS TO LEGAL
SUFFICIENCY BY:

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E/S
DANA CROSBY COLLIER
SENIOR ASSISTANT CITY ATTORNEY II

NOTICE OF PUBLIC HEARING

ON **October 5, 2023 @ 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. E2023-8 CH 25

An Ordinance of the City of Tampa, Florida, relating to Chapter 25 (Transportation), Article I, Administrative Provisions; Amending Section 25-74 "Exemptions from and Credits for Multi-Modal Transportation Impact Fee"; Providing for Repeal of all Ordinances or parts of Ordinances in conflict therewith; providing for severability; providing an effective date.

File No. REZ-23-49

An ordinance rezoning property in the general vicinity of 4502 West McCoy Street, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) PD (Planned Development) to PD (Planned Development, Residential, Multi-Family); providing an effective date.

File No. REZ-23-35

An Ordinance rezoning property in the general vicinity of 2204 East 15th Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RM-24 (Residential, Multi-Family) to PD (Planned Development, Residential, Single-Family Attached); providing and effective date.

File No. REZ-23-43

An Ordinance rezoning property in the general vicinity of Folio Number 169180-0005, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) PD (Planned Development) to PD (Planned Development, Residential, Single-Family Semi-Detached); providing an effective date.

File No. REZ-23-60

An Ordinance rezoning property in the general vicinity of 2015 and 2017 Maple Avenue, 1305 South 22nd Street and 2020 Oakwood Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) PD (Planned Development) to PD (Planned Development, Residential, Multi-Family and Storefront/Residential, Office Uses); providing an effective date.

File No. REZ-23-61

An Ordinance rezoning property in the general vicinity of 2511 North Albany Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (Residential, Single-Family) to PD (Planned Development, Residential, Single-Family Attached); providing an effective date.

ON **October 5, 2023 @ 10:30 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. E2023-8 CH 27

An ordinance of the City of Tampa, Florida, relating to Tampa Heights Overlay District, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and Land Development); amending Section 27-156, Official Schedule of District Regulations; creating Section 27-244, Tampa Heights Overlay District Development Standards; repealing all ordinances or parts of ordinances in conflict therewith; providing for severability; 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

9/22/23LG 1T