

ORDINANCE NO. 2024- 76

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, **RELATING TO PUBLICLY INITIATED TEXT AMENDMENTS**, MAKING REVISIONS TO CITY OF TAMPA CODE OF ORDINANCES, AMENDING CHAPTER 27, (ZONING AND LAND DEVELOPMENT), AMENDING SECTION 27-100, COMPLIANCE WITH CERTIFICATES OF APPROPRIATENESS; AMENDING SECTION 27-117, COMPLIANCE WITH CERTIFICATES OF APPROPRIATENESS; AMENDING SECTION 27-132, REGULATIONS GOVERNING INDIVIDUAL SPECIAL USES; AMENDING SECTION 27-156, OFFICIAL SCHEDULE OF DISTRICT REGULATIONS; AMENDING SECTION 27-159, PERMITTED PROJECTIONS INTO REQUIRED YARDS; AMENDING SECTION 27-177, HISTORIC DISTRICT ESTABLISHED; 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 publicly-initiated amendment for the January 2024 cycle; and,

**WHEREAS**, on June 10, 2024, the Hillsborough County City-County Planning Commission (“Planning Commission”) conducted a public hearing on this ordinance to make recommendations regarding consistency of the amendments with the Comprehensive Plan; and,

**WHEREAS**, on June 10, 2024, the Planning Commission found the following amendments consistent with the Comprehensive Plan – modifying the geographic areas where accessory dwelling units are allowed as a Special Use-1, amending regulations governing individual special uses, amending language regarding permitted projections into required yards, amending regulations to improve the safety and security of Ybor City parking lots, and amending regulations to allow special use permitting of alcohol sales in certain zoning districts for professional sports teams; and,

**WHEREAS**, on June 10, 2024, the Planning Commission found the following amendments inconsistent with the Comprehensive Plan – amending sections 27-100 and 27-117 to allow the code enforcement board or special magistrate to impose a fine of \$15,000 in those cases where the board or special magistrate find that a person intentionally or willfully, or by negligence of action, causes substantial and irreparable damage to a contributing historic building, site, structure, or object; 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,



1 or building erected on the same land or portion thereof shall be identical in architectural  
2 style and materials to the structure or building that was damaged.”  
3

4 Section 3. That “**Sec. 27-132. Regulations Governing Individual Special Uses.**” is hereby  
5 amended by adding the underlined language and deleting the stricken language as follows:  
6

7 **“Sec. 27-132. Regulations Governing Individual Special Uses.**

8  
9 *Accessory dwelling unit.* The following specific standards shall be used in deciding an  
10 application for approval of this use:  
11

- 12 a. An accessory dwelling unit shall be limited to a maximum of nine hundred fifty  
13 (950) square feet of living space.
- 14 b. An accessory dwelling unit may only be approved when the ~~main residence is~~  
15 ~~owner occupied~~ property owner resides on the property.
- 16 c. An accessory dwelling unit may be ~~designed to be~~ located within the single-  
17 family dwelling with a separate entrance, within ~~or in~~ a conforming accessory  
18 structure, or within; ~~however, it may not be located in~~ a nonconforming  
19 accessory structure in accordance with Article VII of this chapter. ~~or structure~~  
20 ~~made conforming as a result of a variance.~~
- 21 d. At no time may the number of unrelated occupant(s) of an accessory dwelling  
22 unit exceed two (2).
- 23 e. The special use permit shall be reviewed annually by staff and if any conditions  
24 change, a new special use permit ~~and public hearing~~ will be required. ...  
25  
26  
27  
28  
29

30 *Alcoholic beverage sales (all types):* All applications shall comply with parking requirements, in  
31 effect at the time of the application, and contained in the applicable section of this chapter.  
32

- 33 (a) *Applications processing as an S-1.* When processed as an S-1 permit, the zoning  
34 administrator shall only approve the application if it is consistent with the  
35 applicable specified use standards contained below:  
36

37 ...(8) Sports team. Applications that meet the following minimum criteria  
38 shall be processed as an S-1 (Annual Permit).

- 39 a. Applicant shall be a club or team with membership in a national  
40 professional sports league;

- 1                    b. Approvals shall be limited to on premises consumption only, and  
2                    only on facilities that are located on land(s) that meet the following  
3                    criteria:  
4                    1. Land(s) that are controlled or owned by a governmental  
5                    entity, and  
6                    2. Land(s) that are no less than 15 acres;  
7                    c. Approvals will expire one (1) year after the approvals date and  
8                    may not be renewed; provided, however, that an applicant may file  
9                    a new application for a new approval;  
10                  d. Sales may only occur on game or match days that are identified on  
11                  a schedule provided with the application that, if approved, will  
12                  constitute part of the approval;  
13                  e. An approval granted under this subsection (8) will be deemed to  
14                  have expired if the applicant ceases operations on the property or if  
15                  the applicant's right to occupy the property is terminated;  
16                  f. Sales shall cease at 12:00 a.m.;  
17                  g. No applications for property owned or held in the public trust by  
18                  the City of Tampa shall be accepted unless there is a letter  
19                  consenting to such application issued by the Office of the Mayor of  
20                  the City of Tampa;  
21                  h. If any portion of the event is on property owned by the City of  
22                  Tampa or within any right(s)-of-way owned and/or maintained by  
23                  the city, an original certificate of insurance naming the City of  
24                  Tampa as an additional insured (or a copy of the insurance  
25                  certificate if the original is on the file with the department of public  
26                  works for a special event) showing a commercial general liability  
27                  insurance policy with a limit of no less than one million dollars  
28                  (\$1,000,000.00), a liquor liability insurance policy with a limit of  
29                  no less than one million dollars (\$1,000,000.00), and an aggregate  
30                  limit of two million dollars (\$2,000,000.00) must be provided to  
31                  the city. The insurance coverage and limits required must be  
32                  evidenced by properly executed certificates of insurance forms that  
33                  are to be furnished by the city. All insurance policies must be  
34                  signed by the authorized representative of the insurance company.  
35                  Cancellation or modification of the insurance policy requires a  
36                  thirty-day written notification to the city. During the term of the  
37                  permit, the applicant shall provide, pay for, and maintain insurance  
38                  with companies authorized to do business in Florida, with a AM  
39                  Best rating of B+ (or better) Class IV (or higher), or otherwise be  
40                  acceptable to the city if not rated by AM Best. The permit holders,  
41                  participants and volunteers waive all rights against the city, it  
42                  agents, officers, directors, and employees for recovery damages to  
43                  the extent such damage is covered under the commercial general  
44                  liability or liquor liability insurance policies; and

1                                    i. Security services: Security services shall be secured and  
2                                    documented prior to approval of an annual AB permit consistent  
3                                    with the security services requirements set forth in Chapter 28,  
4                                    section 28-26(7)a. Exhibit I. There shall be no waivers to this  
5                                    provision granted by the city. ...”  
6

7                    **Section 4.** That “**Sec. 27-156. Official Schedule of District Regulations.**” is hereby  
8 amended by adding the underlined language and deleting the stricken language as follows:  
9

10                    **“Sec. 27-156. Official Schedule of District Regulations.**

11  
12 ...*(b) Schedule of permitted uses by district.* Except as specifically provided in this chapter,  
13 regulations governing the use of land and structures within the various districts in the  
14 city shall be as shown in the schedule of permitted uses by district.  
15

16 The M-AP subdistricts, YC subdistricts, PD and PD-A districts, SH subdistricts, CBD  
17 subdistricts, NMU subdistricts, and CD subdistricts are not shown in the following  
18 Table 4-1, Schedule of Permitted Uses by District. However, district regulations  
19 governing said districts and subdistricts are set forth in this chapter as follows:  
20

- 21 M-AP—Article III, Division 2, Subdivision 1  
22 YC—Article III, Division 2, Subdivision 2  
23 PD and PD-A—Article III, Division 3  
24 CBD—Article III, Division 2, Subdivision 3  
25 CD—Article III, Division 2, Subdivision 4  
26 SH—Article III, Division 2, Subdivision 5  
27 NMU—Article III, Division 2, Subdivision 6  
28

29 The use of land or structures that are not expressly listed in the schedule of permitted  
30 uses by district as permitted principal uses or permitted accessory uses are prohibited  
31 uses and shall not be established in that district.  
32

33 Uses listed as permitted special uses may be established in that district only after  
34 approval of an application for a special use permit in accordance with the procedures  
35 and requirements in Article II, Division 5.  
36

37                                    **TABLE 4-1**  
38                                    **SCHEDULE OF PERMITTED, ACCESSORY, AND SPECIAL USES BY DISTRICT\***



**Legend:**

**X—Permitted principal use**

**S1—Special use—Zoning administrator review**

**S2—Special use—City council review**

**A—Permitted accessory use**

**Blank—Prohibited use**

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<u>m</u> <u>(on</u> <u>pre</u> <u>mis</u> <u>es</u> <u>onl</u> <u>y)</u>																								

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

17 The accessory dwelling unit special use is limited to:

The area of the City west of North Boulevard, south of W. Dr. Martin Luther King, Jr. Boulevard and east and north of the Hillsborough River;

The area south of W. Busch Boulevard and north of W. Hillsborough Avenue;

The area south of Hillsborough Avenue, east of N. Armenia Avenue, west of the Hillsborough River and north of W. D. Martin Luther King, Jr. Boulevard;

The East Tampa Overlay District as described in Sec. 27-240 (as a special use);

The accessory dwelling unit is a permitted use in the Tampa Heights Overlay District in accordance with Sec. 27-244. (See "ADU Eligible Areas" map, Exhibit "A" to Sec. 27-156).

..."

EXHIBIT "A" to Section 27-156, Table 4-1, Footnote 17

# Current ADU Eligible Areas and Recommended Proposed S1 ADU Areas

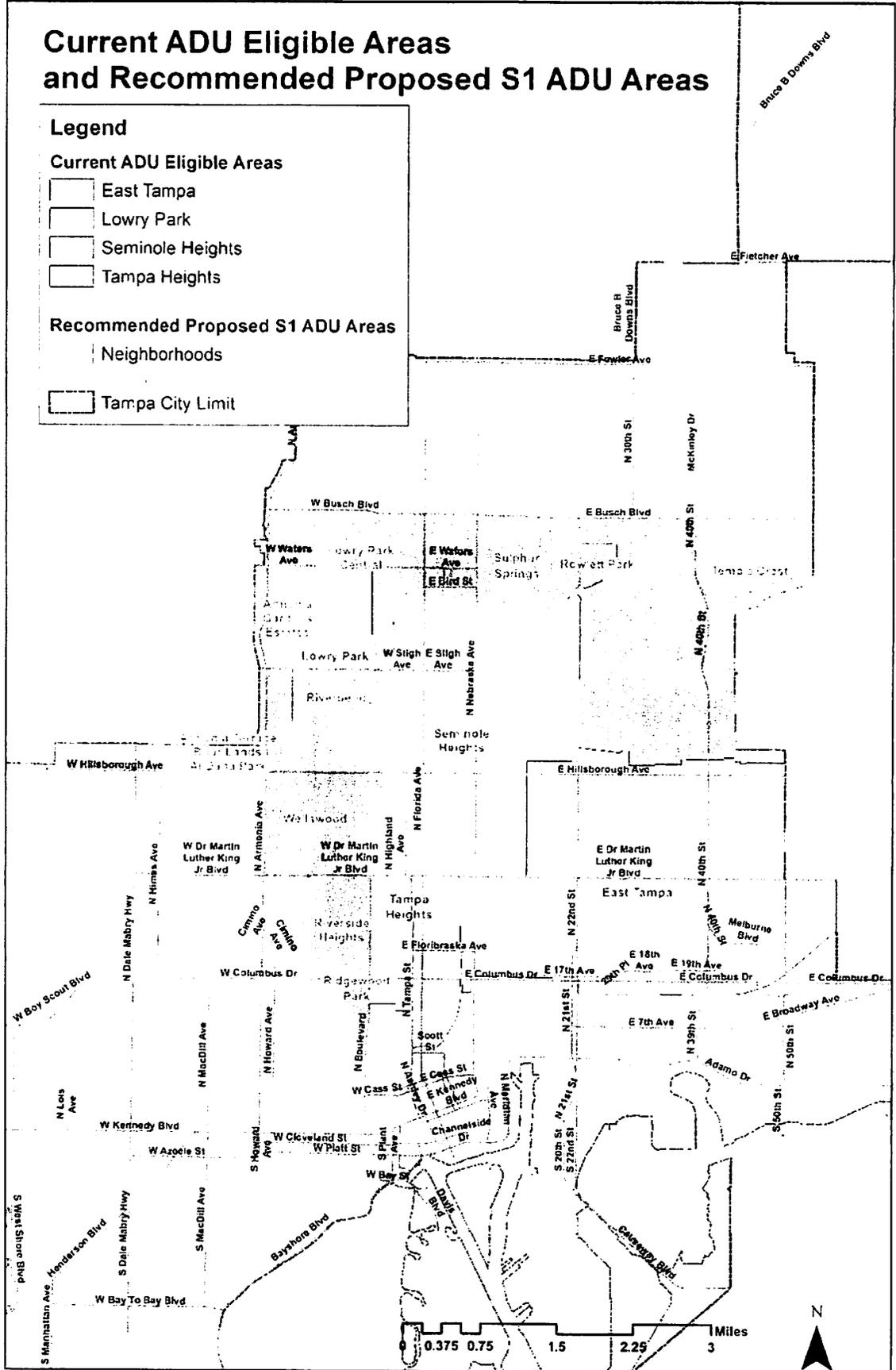
## Legend

### Current ADU Eligible Areas

-  East Tampa
-  Lowry Park
-  Seminole Heights
-  Tampa Heights

### Recommended Proposed S1 ADU Areas

-  Neighborhoods
-  Tampa City Limit



1 ...”  
2

3 **Section 5.** That “**Sec. 27-159. Permitted Projections in Required Yards.**” is hereby  
4 amended by adding the underlined language and deleting the stricken language as follows:  
5

6 **“Sec. 27-159. Permitted Projections in Required Yards.**  
7

8 (a) *Front porches in residential districts.*

9 (1) For new and existing residential development in Residential Single-Family districts  
10 (RS Districts), and Residential Multi-Family districts (RM Districts), ~~and Planned~~  
11 ~~Developments (PD Districts)~~ that allow detached, semi-detached and attached residential  
12 single-family development, a front porch may project into the required front yard no  
13 more than eight (8) feet provided the following conditions are met:

14 f. ~~In the Planned Development Districts, as described above, a porch may encroach~~  
15 ~~up to the eight foot allowance. However, the front yard must remain a minimum~~  
16 ~~of five (5) feet. No allowance may reduce the front setback to less than five (5)~~  
17 ~~feet.~~

18 (2) ~~For residential development in the RS 60 Residential Single Family Zoning district,~~  
19 ~~the zoning administrator may approve an alternative design exception to allow a front~~  
20 ~~porch addition under the conditions stated in subsection (a)1. a. f., per section 27-60~~  
21 ~~procedures for notice, provided the proposed porch is an addition to an existing building~~  
22 ~~and the proposed addition of the porch is compatible with the buildings on adjacent~~  
23 ~~properties in terms of size and mass.~~

24 (3) ~~Within the RS 75, RS 100 and RS 150 Residential Single Family Zoning districts,~~  
25 ~~front porches are subject to comply with the required front building setback requirement~~  
26 ~~of the underlying district. ...”~~  
27

28 **Section 6.** That “**Sec. 27-177. Historic District Established.**” is hereby amended by adding  
29 the underlined language and deleting the stricken language as follows:  
30

31 **“Sec. 27-177. Historic District Established.**  
32

33 **TABLE 8-1**  
34 **SCHEDULE OF PERMITTED, ACCESSORY, AND SPECIAL USES BY DISTRICT\*7**

<p>*Legend: X = Permitted principal use S1 = Special use—Zoning administrator review S2 = Special use—City council review A = Permitted accessory use Blank = Prohibited use</p>
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## NOTICE OF PUBLIC HEARING

ON **July 18, 2024 @ 10:00 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. E2024-8 CH 26

An ordinance of the City of Tampa, Florida, pertaining to utilities: amending City of Tampa Code of Ordinances, Chapter 26-Utilities, Article II-Water, Section 26-97-Water Conservation; providing for one day per week irrigation; providing for enforcement and penalties for violations; providing for protection from penalties for compliance; providing for definitions; repealing all ordinances or parts of Ordinances in conflict therewith; providing for severability; providing an effective date.

### File No. REZ-23-37

An ordinance rezoning property in the general vicinity of 7105, 7109 and 7111 Kissimmee Street and Folio Numbers 138665-0000 and 138666-0000, in the City of Tampa, Florida, and more particularly described in Section 1, from Zoning District Classification(s) CG (Commercial General) and RS-SO (Residential, Single-Family) to PD (Planned Development, Residential, Single-Family, Attached and Detached); providing an effective date.

### File No. REZ-23-94

An ordinance rezoning property in the general vicinity of 8026 Interbay Boulevard, 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, Detached); providing an effective date.

### File No. REZ-23-114

An ordinance rezoning property in the general vicinity of 3900 North Marguerite Street, 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, Office, Business/Professional); providing an effective date.

### File No. REZ-24-02

An ordinance rezoning property in the general vicinity of 17302 Morris Bridge Road and Folio Number 59222-0004, in the City of Tampa, Florida, and more particularly described in Section 1, from Zoning District Classification(s) PD-A (Planned Development, Alternative) to PD-A (Planned Development, Alternative, Residential, Single-Family Detached And Attached); providing an effective date.

### File No. REZ-24-03

An ordinance rezoning property in the general vicinity North of Pictorial Park Drive and K-Bar Ranch Parkway, Folio Numbers 59222-0003 and 59224-0000, in the City of Tampa, Florida, and more particularly described in Section 1, from Zoning District Classification(s) PD-A (Planned Development, Alternative) to PD-A (Planned Development, Alternative, Residential, Single-Family, Detached); providing an effective date.

### File No. REZ-24-13

An ordinance rezoning property in the general vicinity of 3108, 3110, 3112 and 3114 West Varn Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from Zoning District Classification(s) RS-60 (Residential, Single-Family) to PD (Planned Development, Residential, Single-Family, Detached); providing an effective date.

### File No. REZ-24-22

An ordinance rezoning property in the general vicinity of 5016 North Florida Avenue and 104 West Wilder Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from Zoning District Classification(s) SH-RS (Seminole Heights, Residential, Single-Family) and SH-CI (Seminole Heights, Commercial Intensive) to SH-PD (Seminole Heights, Planned Development, Restaurant And Bar Or Lounge); providing an effective date.

### File No. REZ-24-23

An ordinance rezoning property in the general vicinity of 8748 Hidden River Parkway, 14090 Riveredge Drive and Folio Number 034776-1204, in the City of Tampa, Florida, and more particularly described in Section 1, from Zoning District Classification(s) PD-A (Planned Development, Alternative) to PD-A (Planned Development, Alternative, Office, Business, Professional and Medical, Research Activity, Clinic, Retail Sales, Hotel, Residential, Multi-Family and Single-Family Attached); providing an effective date.

### File No. DRI24-5971

An ordinance of the City of Tampa, Florida, approving a Tenth Amendment to a development order rendered pursuant to 5 Chapter 380, Florida Statutes for the Hidden River Corporate 6 Park, a Development of Regional Impact (DRI #108); providing for 7 severability; providing an effective date.

### File No. REZ-24-37

An ordinance rezoning property in the general vicinity of 1505 West Arch Street, in the City of Tampa, Florida, and more particularly described in Section 1, from Zoning District Classification(s) RS-50 (Residential, Single-Family) to RM-18 (Residential, Multi-Family); providing an effective date.

### File No. AB2-23-30

An ordinance approving a Special Use Permit (SU-2) for Alcoholic Beverage Sales - Small Venue (Consumption On-Premises only) and making lawful the sale of beverages regardless of alcoholic content - Beer, Wine and Liquor - at or from that certain lot, plot or tract of land located at 1500 West Cass Street, as more particularly described in Section 2; providing that all ordinances or parts of ordinances in conflict are repealed; providing an effective date.

### File No. REZ-23-84

An ordinance rezoning property in the general vicinity of 5006 East 97th Avenue and Folio Numbers 142834-0025, 142830-5075, 142830-5050, 142830-5025 and 142830-5000, in the City of Tampa, Florida, and more particularly described in Section 1, from Zoning District Classification(s) RS-60 (Residential, Single-Family) to RM-18 (Residential, Multi-Family); providing an effective date.

### File No. E2024-8 CH 2

Ordinance relating to the government of the City of Tampa, Florida, submitting to the Electors of the City a Proposed Amendment to the Revised Charter of the City of Tampa of 1975, as amended, to amend Section 6.01 to revise the Residency Requirements for City Officers to apply only to Elected Officers; providing an effective date.

### File No. CO2-26

Ordinance amending Ordinance No. 2003-23, passed and ordained by the City Council of the City of Tampa on January 23, 2003, which vacated, closed, discontinued and abandoned those rights-of-way in the vicinity of 711 E. Henderson Avenue, as further described below, amending and/or deleting certain conditions precedent as set forth in Section 5 thereof in order to facilitate development of properties adjacent to the vacated rights-of way; repealing conflicts; providing for severability; providing an effective date.

### File No. E2024-8 CH 27

An ordinance of the City of Tampa, Florida, relating to Publicly Initiated Text Amendments, making revisions to City of Tampa Code of Ordinances, amending Chapter 27, (Zoning and Land Development), amending Section 27-100, Compliance with Certificates of Appropriateness; amending Section 27-117, Compliance with Certificates of Appropriateness; Amending Section 27-132, Regulations governing individual Special Uses; amending Section 27-156, Official schedule of District Regulations; amending Section 27-159, Permitted Projections into Required Yards; amending Section 27-177, Historic District Established; amending Section 27-178, Alternative Parking Requirements; repealing all ordinances or parts of ordinances in conflict therewith; providing for severability; providing an effective date.

### File No. TA/CPA24-01

An ordinance amending the Tampa Comprehensive Plan, Future Land Use Element, Future Land Use Map, for the property located at 307 North Westland Avenue and 2109, 2111 AND 2113 West North B Street, from Residential-20 (R-20) to Residential-35 (R-35); providing for repeal of all ordinances in conflict; providing for severability; providing an effective date.

### File No. AB2-24-09

An ordinance approving a Special Use Permit (SU-2) for Alcoholic Beverage Sales – Restaurant (Consumption On-Premises Only) and making lawful the sale of beverages regardless of alcoholic content – Beer, Wine and Liquor – on that certain lot, plot or tract of land located at 226 South Boulevard, 825 West Platt Street and 217 South Fielding Avenue, Tampa, Florida, as more particularly described in Section 3; providing that all ordinances or parts of ordinances in conflict are repealed; repealing AB1-22-008; providing an effective date.

### File No. AB2-24-10

An ordinance approving a Special Use Permit (SU-2) for Alcoholic Beverage Sales – Small Venue (Consumption On Premises and Package Sales/Off-Premises Consumption) and making lawful the sale of beer and wine at or from that certain lot, plot or tract of land located at 6102 South MacDill Avenue, Suite F, Tampa, Florida, as more particularly described in Section 2; providing that all ordinances or parts of ordinances in conflict are repealed; 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