

ORDINANCE NO. 2010- 4

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, MAKING COMPREHENSIVE REVISIONS TO CHAPTER 22, STREETS AND SIDEWALKS, OF THE CITY OF TAMPA CODE OF ORDINANCES; REPEALING SECTIONS 22-304 AND 22-305 IN THEIR ENTIRETY; CREATING SECTION 22-304, FUNCTIONAL CLASSIFICATION OF ROADWAYS; CREATING SECTION 22-305, VITRIFIED BRICK STREET STANDARDS; AMENDING SECTION 22-314, DRIVEWAYS-LOCATION, DESIGN AND CONSTRUCTION STANDARDS; REPEALING SECTION 22-319 IN ITS ENTIRETY; CREATING SECTION 22-319, ALTERNATIVE DESIGN EXCEPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Tampa directed the Growth Management and Development Services division to prepare the following amendment to Chapter 22, Code of Ordinances; 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; 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. 22-304. Reserved.**”, is hereby repealed in its entirety.

Section 2. That “**Sec. 22-304. Functional classification of roadways.**”, is hereby created under “**Division 3. Specific technical requirements**”:

“Sec. 22-304. Functional classification of roadways.

The city transportation manager shall be authorized to establish, for purposes of this article, the functional classification of roadways within the city, in accordance with the general guidelines provided in the standard engineering manuals referenced in the Transportation Technical Manual.”

Section 3. That “**Sec. 22-305. Reserved.**”, is hereby repealed in its entirety.

*E2009-48
E2009-8 CH22*

1 Section 4. That “Sec. 22-305. Vitrified Brick Street Standards”, is hereby
2 created under “Division 3. Specific technical requirements”.

3
4 “Section 22-305. Vitrified brick street standards

5
6 (a) Purpose: The general purpose of this Section is to preserve, protect, maintain and
7 provide for the rehabilitation of existing vitrified brick streets defined herein as
8 those streets and alleys constructed of vitrified brick. For the purposes of this
9 section, vitrified brick is brick street pavers which have been produced through a
10 chemical process causing the brick to be impervious to water.

11
12 (b) Application: Generally, local streets or portions of local streets and alleyways
13 that are constructed primarily in vitrified brick shall be protected. In the historic
14 districts, the protections of this provision shall apply to all streets and alleyways,
15 paved in vitrified brick and the associated granite curbs, and the portions of
16 sidewalks embossed with construction dates.

17
18 (c) Exemptions: This section shall not apply to streets roads or alleyways that are
19 surfaced primarily in asphalt and have small, insignificant patches of vitrified
20 brick appearing under or around the asphalt. Additionally, this section does not
21 apply to any type of paving surface other than vitrified brick, including asphalt
22 brick.

23
24 (d) Standards for Vitrified Brick Streets located in Local Historic Districts: All
25 vitrified brick streets (whether local, collector or arterial and including alleyways,
26 associated granite curbs and portions of sidewalks embossed with construction
27 dates) shall be protected, preserved, maintained or rehabilitated (in the case of
28 utility or road construction) as provided for herein:

29
30 1. The streets and alleyways that shall be protected include all of those
31 vitrified brick streets which were identified in City of Tampa Ordinance
32 2001-193. All applications for designation as a local historic district, after
33 the effective date hereof, shall include a map identifying all existing
34 vitrified brick streets in the proposed district and this section shall be
35 revised to include said streets and alleyways.

36
37 2. If a person or entity intends to pave or otherwise alter a vitrified brick
38 street, that person or entity shall be required to obtain a Certificate of
39 Appropriateness pursuant to Chapter 27 City of Tampa Code. In making
40 its determination, the ARC or BLC shall take into consideration the nature
41 and purpose of the street, including the use of such streets by trucks and
42 heavy equipment traversing the area at higher speeds. Additionally, the
43 ARC and BLC shall take into consideration the infrastructure needs of the
44 area including, but not limited to, water mains and sewer mains.

1 (e) Vitrified Brick Streets located Outside of a Local Historic District: Outside of a
2 local historic district, vitrified brick streets shall be preserved, protected,
3 maintained and rehabilitated (in the case of utility or road construction) except as
4 follows:

5
6 1. Local streets which are primarily asphalt or primarily covered by
7 pavement or pavers other than vitrified brick; or

8
9 2. When specifically requested by a City department, other governmental
10 agency or third party for reasons related to public health, safety and
11 welfare or because the vitrified brick street is designated as arterial or
12 collector or is located in an industrial area and is or will be subject to
13 heavy equipment and trucks. City Council may approve requests to
14 impact a vitrified brick street, after a public hearing in which City Council
15 shall review the need to impact the vitrified brick street and alternatives to
16 such impact. Notice shall be provided to all property owners abutting the
17 vitrified brick street as provided for in Section 22-39 City of Tampa Code
18 of Ordinances.

19
20 (f) In the event that City Council approves the request to impact a vitrified brick
21 street in a manner which requires the removal of the vitrified brick, then the party
22 responsible for the removal of the vitrified brick shall clean, palletize and deliver
23 the vitrified brick to the City of Tampa Department of Public Works
24 Transportation Division for use by the City at said party's sole cost and expense.

25
26 (g) In the event of an emergency, as determined by the Transportation Manager, every effort
27 shall be made to minimize the impact of repairing an existing vitrified brick street and all
28 displaced brick shall be salvaged and retained by the City. As soon as practicable after the
29 determination of an emergency, the displaced vitrified brick street shall be rehabilitated with
30 vitrified bricks unless the vitrified brick street is exempted from the terms of this
31 section or a request to impact the vitrified brick street has been or is granted. In
32 the event of an emergency, the Transportation Manager shall notify City
33 Council or the Administrator of the ARC or BLC as applicable. For the purposes of this
34 section, emergency shall be defined as a public health, safety or welfare emergency."

35
36 **Section 5.** That **"Sec. 22-314. Driveways-Location, design and**
37 **construction standards."**, is hereby amended by adding the underlined language and
38 deleting the stricken language as follows:

39
40 **"Sec. 22-314. Driveways-Location, design and construction standards.**

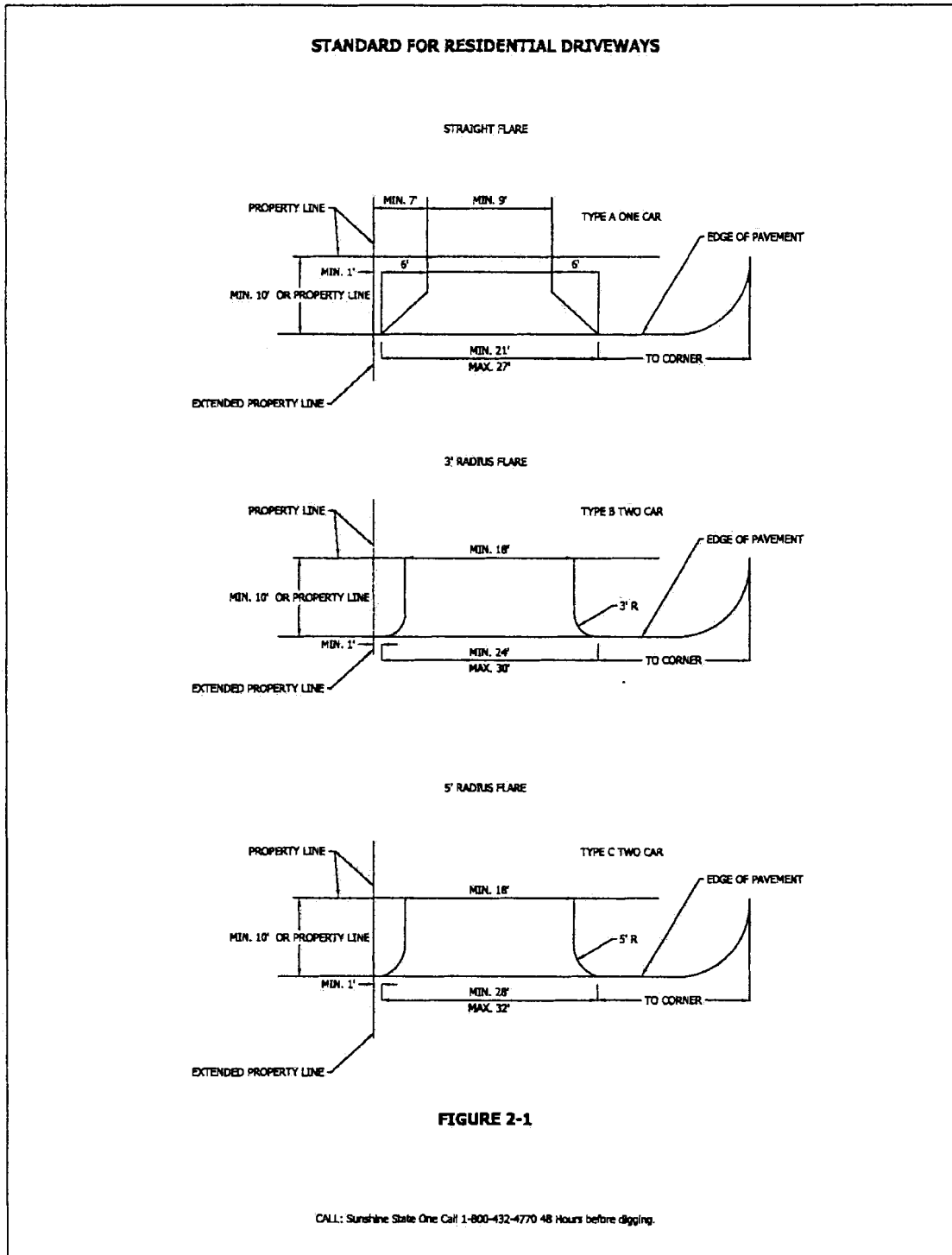
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42 ~~The city transportation manager shall be authorized to establish, for purposes of this~~
43 ~~article, the functional classification of roadways within the city, in accordance with the~~
44 ~~general guidelines provided in the National Highway Functional Classification Study~~
45 ~~Manual, 1968 (U.S.D.O.T., April 1969), and standards governing the location, design and~~
46 ~~construction of driveways.~~

1 The following diagrams (Figures 2-1 through 2-8) shall govern the dimensional and
2 placement standards for driveways that access local streets and alleys within the City
3 limits:
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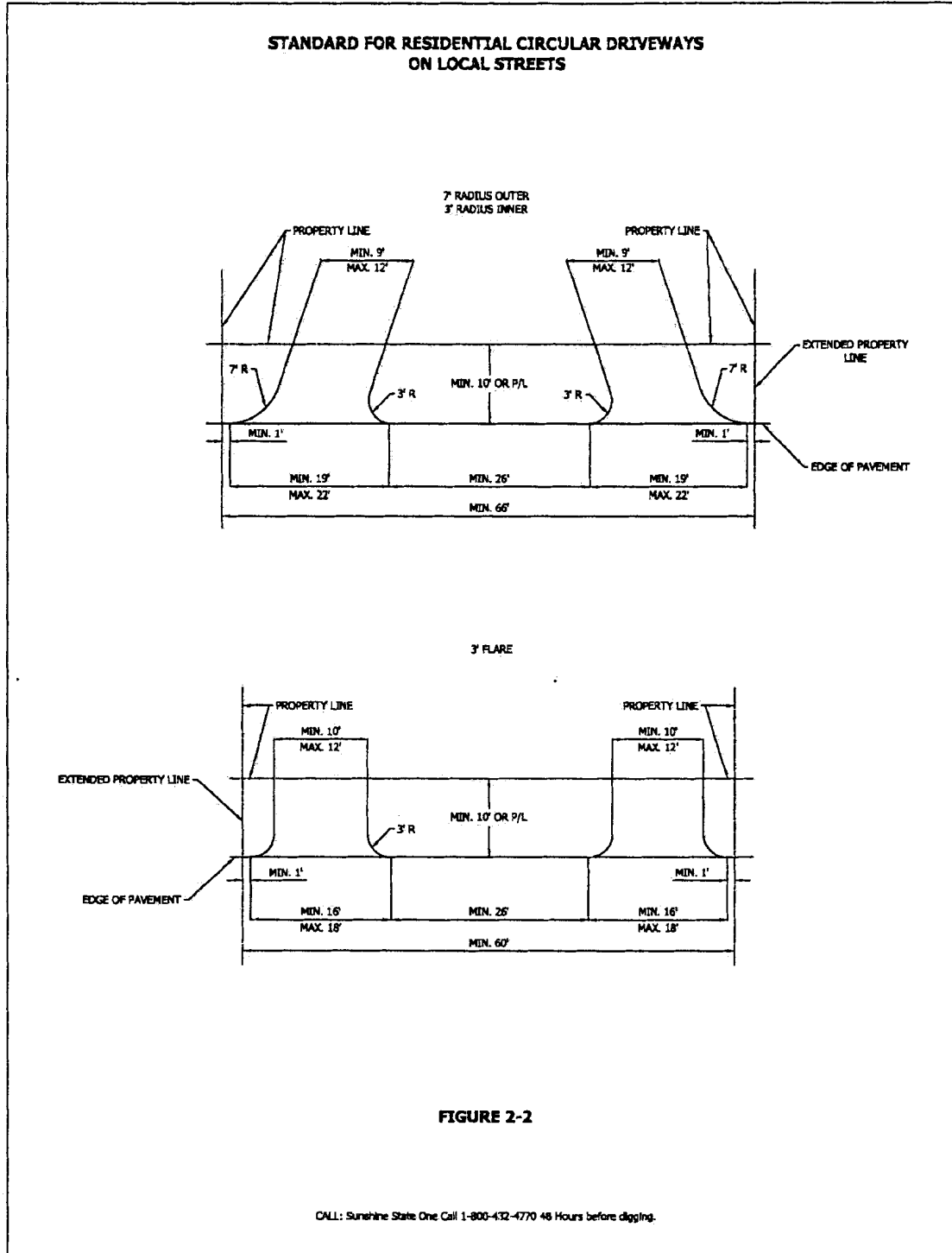


FIGURE 2-2

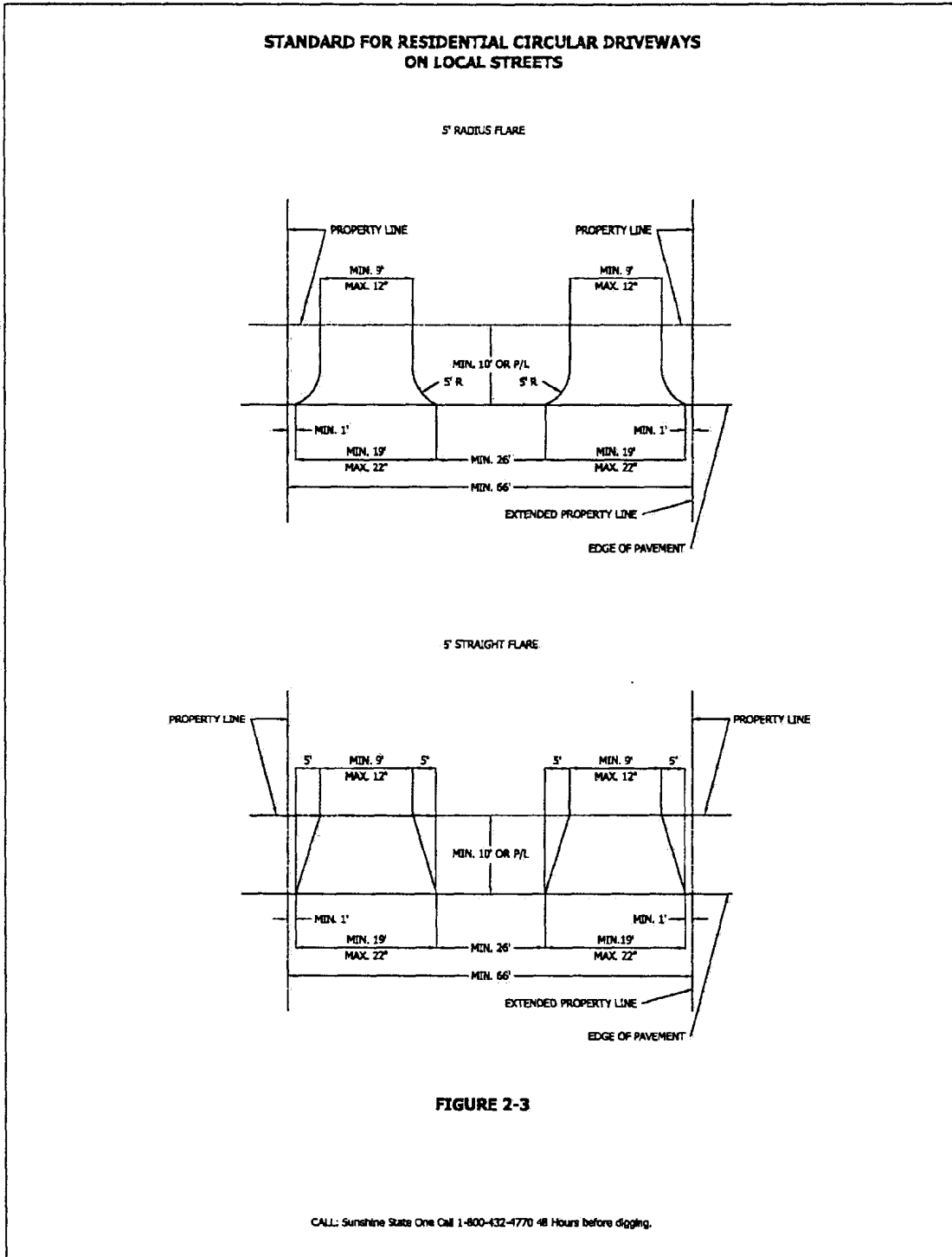
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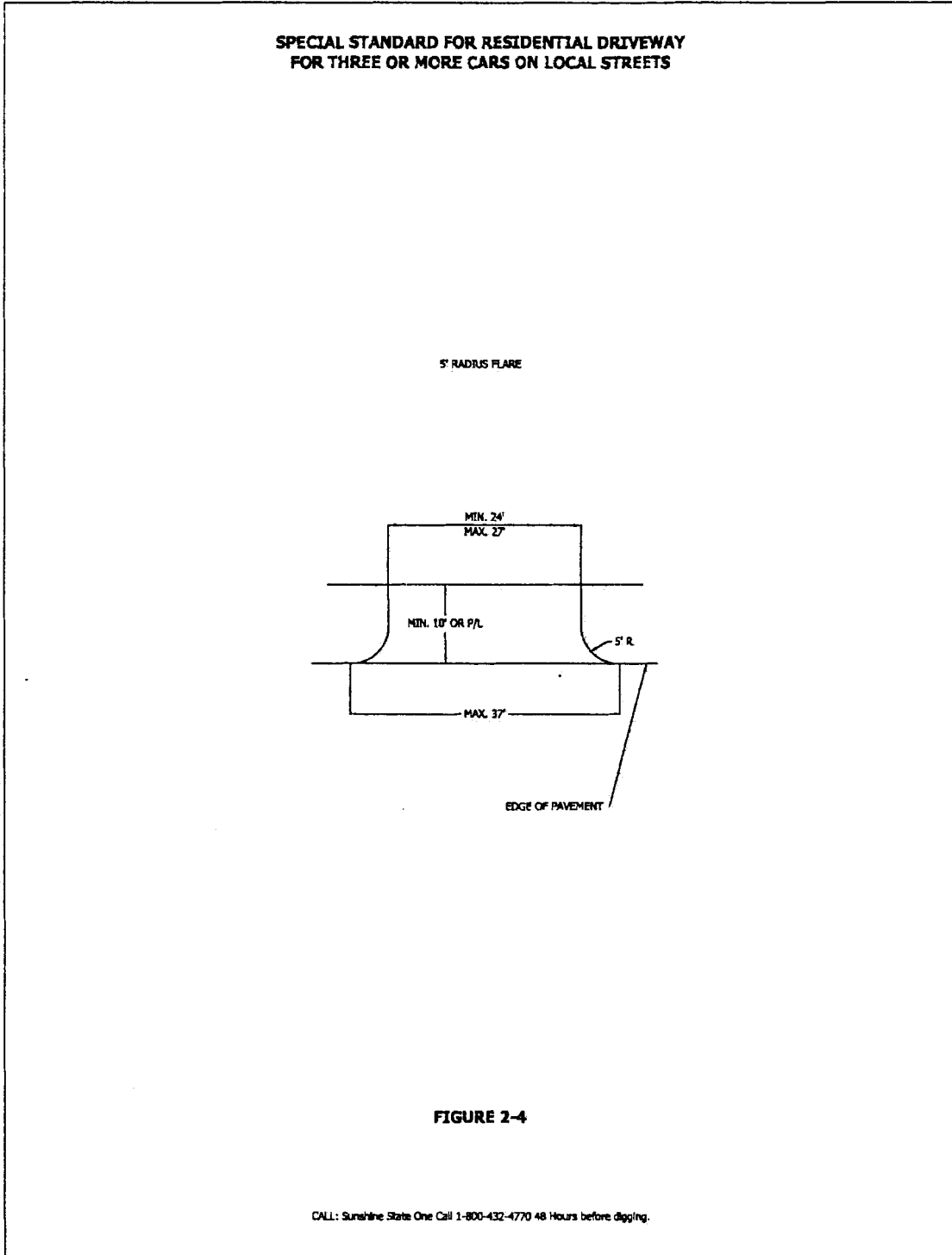


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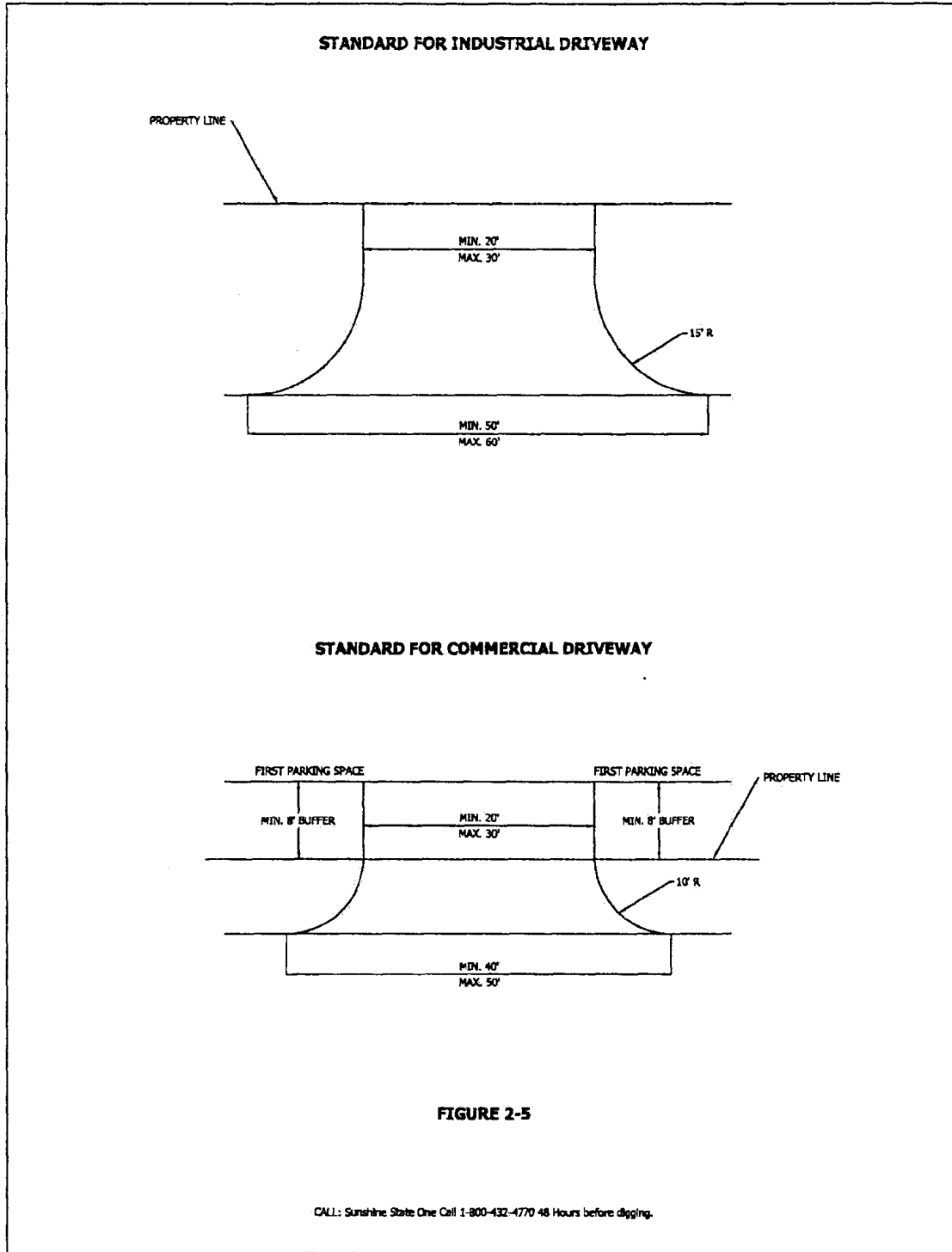


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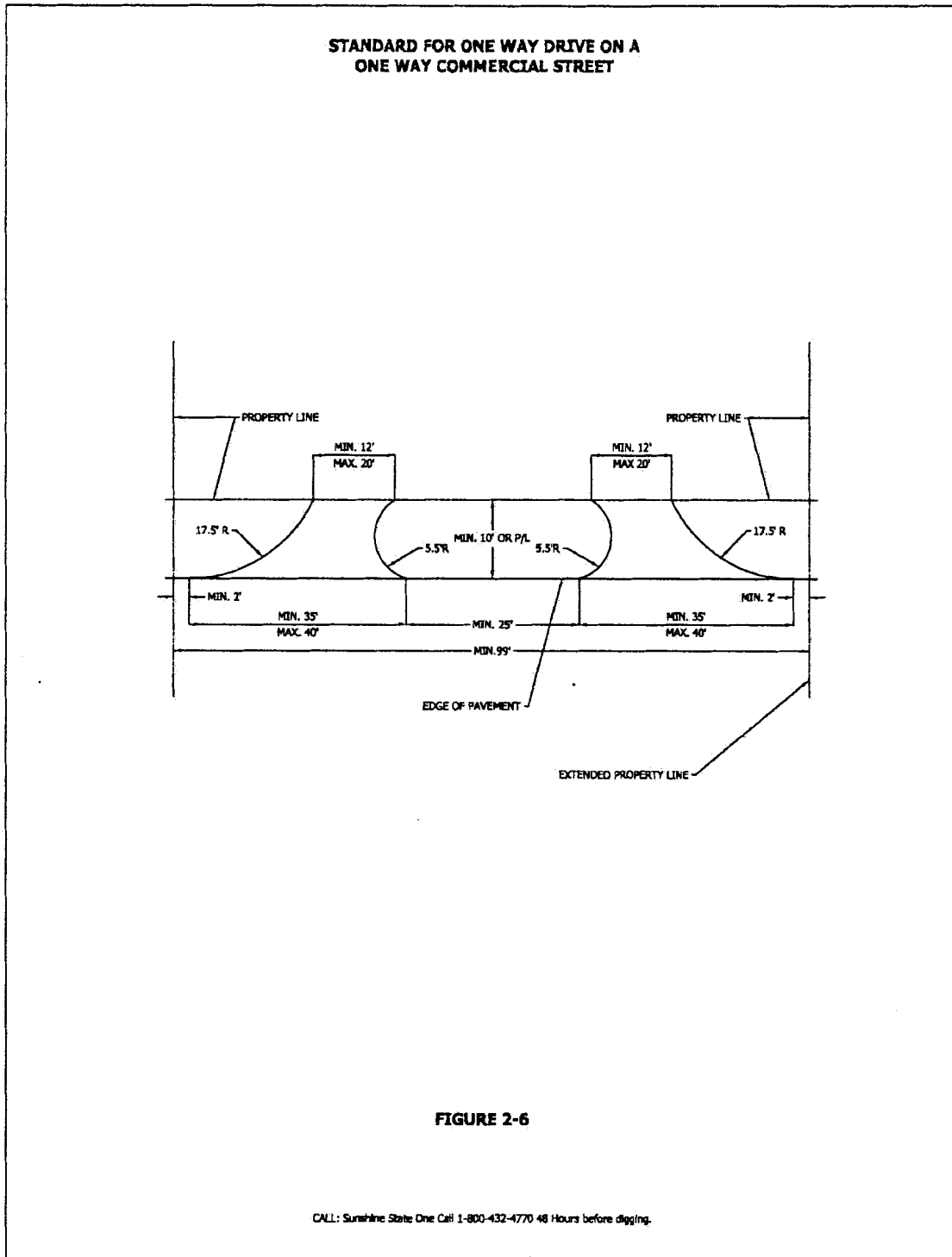


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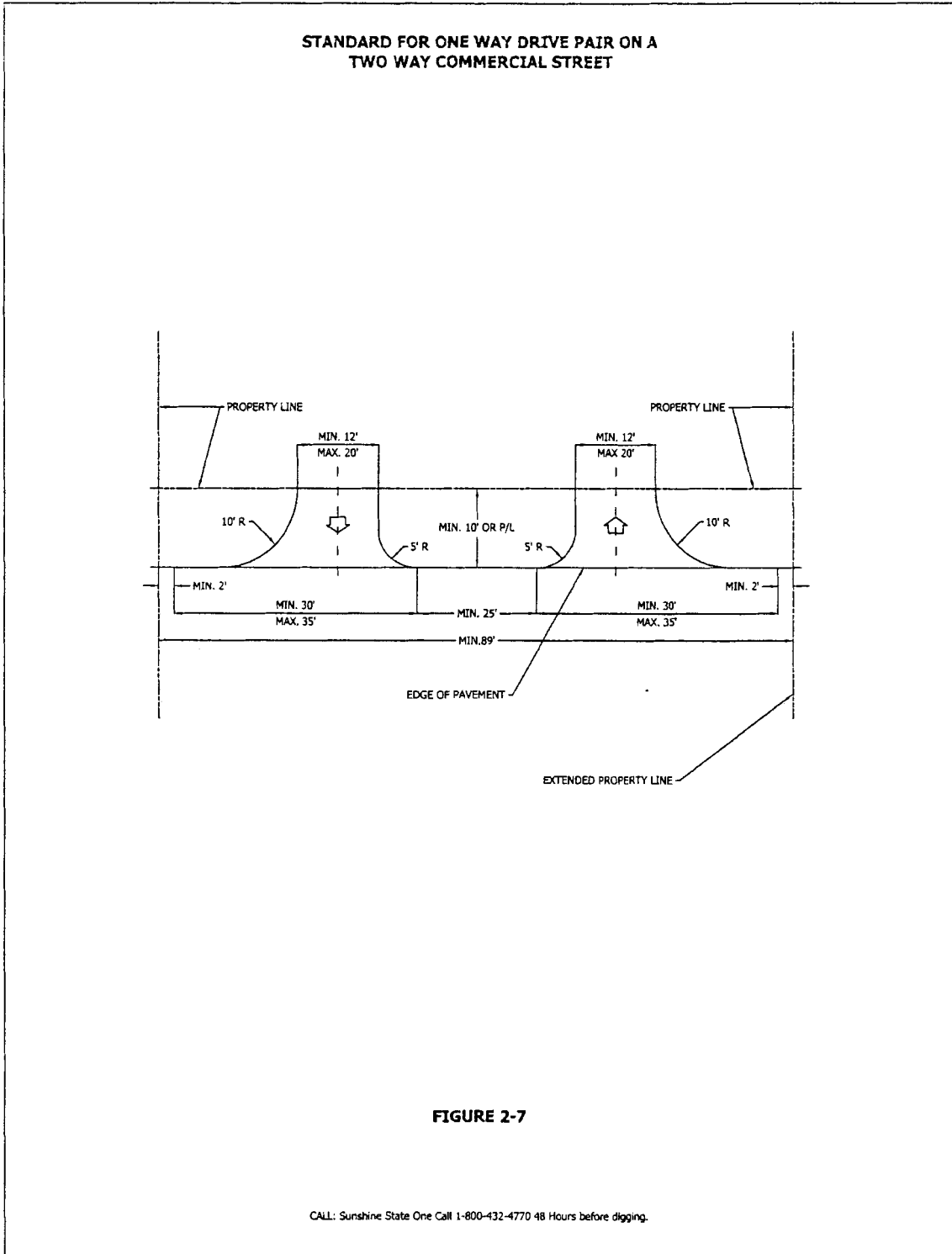


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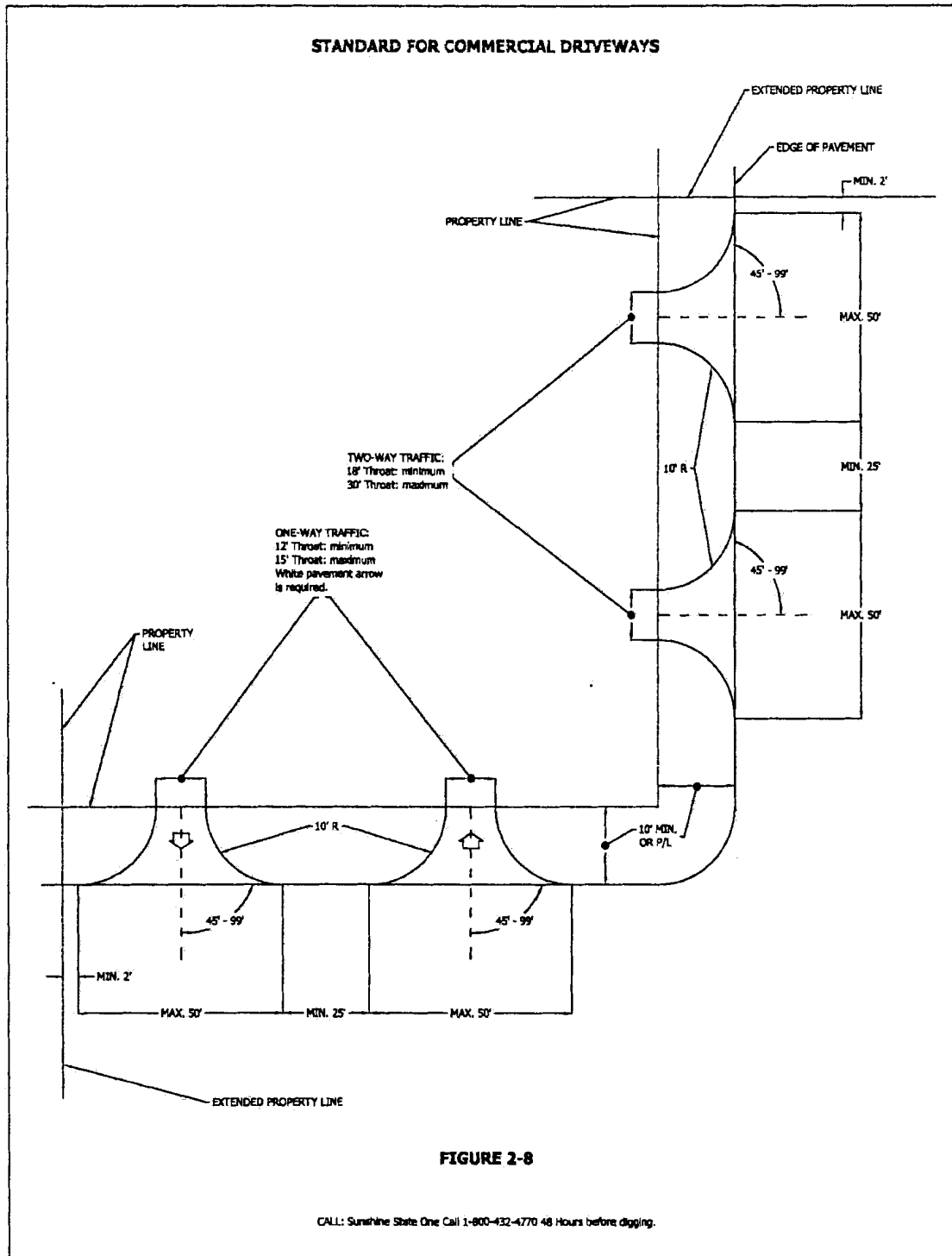


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1 Section 6. That “Sec. 22-319. Same—Variances.”, is hereby repealed in its
2 entirety.

3
4 Section 7. That “Sec. 22-319. Alternative Design Exception.”, is hereby
5 created as follows:

6
7 “Sec. 22-319. Alternative design exception.

8
9 (a) The transportation manager is hereby authorized to grant alternative design
10 exceptions from strict application of the Transportation Technical Manual or any
11 other technical standards adopted pursuant to this Chapter, inclusive of
12 approving alternative materials.

13
14 (b) All alternative design exception applications shall include documentation
15 sufficient to justify the request and, if required, an independent evaluation of the
16 operational and safety impacts of the Alternative Design. In addition, an
17 application for an Alternative Design Exception shall address the following
18 issues, as applicable:

19
20 (1) Description:

- 21
22 a. Project description (general information, typical section, etc.);
23 b. Description of alternative design exception (specific project
24 conditions related to alternative design exception, controlling
25 design element, applicable manual value, and proposed value for
26 project);
27 c. The compatibility of the design and operation with the adjacent
28 sections; and
29 d. If the project is in an overlay or historic district, applicable City of
30 Tampa Code of Ordinance provisions or design standards.

31
32 (2) Operational Impacts:

- 33
34 a. Amount and character of traffic using facility; and
35 b. Effect on capacity of the deviation (proposed criteria vs. Manual
36 using an acceptable capacity analysis procedure and calculate
37 reduction for design year, level of service).

38
39 (3) Safety Impacts:

- 40
41 a. Crash history and analysis (location, type, severity, relation to the
42 Design Exception element); and
43 b. Impacts associated with proposed criteria (annualized value of
44 expected economic loss associated with crashes).

1 (4) Benefit/Cost Analysis:
2

3 Calculate a benefit/cost analysis, which estimates the cost effectiveness of
4 correcting or mitigating a substandard design feature. The benefit is the
5 expected reduction in future crash costs and the cost is the direct
6 construction and maintenance costs associated with the design. These
7 costs are calculated and annualized, so that direct comparison or alternate
8 designs can be made. The transportation manager shall determine the
9 appropriate manner in which to calculate the Benefit/Cost Analysis, if
10 such an analysis is necessary.

11
12 (c) The alternative design exception application shall also contain a recommendation
13 by the Professional Engineer responsible for the project design elements, unless
14 the transportation manager determines that such a recommendation is not
15 necessary given the scope of the request.

16
17 (d) Prior to submitting an application for an alternative design exception, the
18 applicant must schedule a pre-application meeting with the Transportation
19 Division in order to determine the scope of the request and what documentation
20 will be necessary to support the application.

21
22 (e) The transportation manager shall have thirty (30) working days after the
23 submission of a complete application to render a written decision on the
24 Alternative Design Exception. In approving an Alternative Design Exception, the
25 transportation manager must determine that the Alternative Design would have
26 not have a negative impact on the operation and safety of a City of Tampa facility
27 and that the alternative design meets or exceeds the requirements of the applicable
28 technical standard. In addition, the transportation manager may place appropriate
29 conditions on any approval of an application. An applicant may submit a request
30 for an alternative design exception concurrent with an application to the City of
31 Tampa for the approval of a development order. The Transportation Division may
32 charge a fee, as set by City Council, for the review of an application for
33 alternative design exception.

34
35 (f) An applicant shall provide a complete application to the transportation manager
36 for review and determination, which shall include all information contained in this
37 section.

38
39 (g) **An application for an alternative review exception may be filed and reviewed**
40 **as part of a site plan rezoning process. During the site plan rezoning process, City**
41 **Council may request the transportation manager to recommend an alternate design**
42 **consistent with this Section.”**

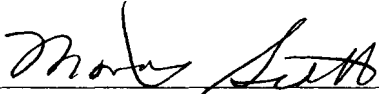
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44 Section 8. That should a court of competent jurisdiction declare any part of
45 this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by
46 such determination as to the invalid part.

1 Section 9. That all ordinances or parts of ordinances in conflict herewith are
2 hereby repealed to the extent of any conflict.

3
4 Section 10. That this ordinance shall take effect immediately upon becoming a
5 law.

6
7
8 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
9 TAMPA, FLORIDA, ON JAN 7 2010.

10
11 ATTEST:

12
13 
14 _____
15 CHAIRMAN/CHAIRMAN PRO-TEM
16 CITY COUNCIL

17
18 
19 _____
20 CITY CLERK/DEPUTY CITY CLERK

21 APPROVED BY ME ON JAN 7 2010

22
23 
24 _____
25 PAM IORIO, MAYOR

26
27 APPROVED AS TO LEGAL
28 SUFFICIENCY BY:

29
30
31 _____ E/S
32 JULIA MANDELL COLE
33 SENIOR ASSISTANT CITY ATTORNEY

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