

ORDINANCE NO. 2015- 83

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, **RELATING TO MULTI-MODAL TRANSPORTATION IMPACT FEES**, MAKING REVISIONS TO CITY OF TAMPA CODE OF ORDINANCES, CHAPTER 27 (ZONING AND LAND DEVELOPMENT); AMENDING SECTION 27-6, ESTABLISHMENT OF LAND DEVELOPMENT CODE; AMENDING SECTION 27-237, NEW TAMPA COMMERCIAL OVERLAY DISTRICT DEVELOPMENT STANDARDS; AMENDING SECTION 27-238, WESTSHORE OVERLAY DISTRICT DEVELOPMENT STANDARDS; AMENDING SECTION 27-241, WEST TAMPA OVERLAY DISTRICT DEVELOPMENT DESIGN STANDARDS; 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 Planning and Development Department to complete the following amendment to Chapter 27, Code of Ordinances; and,

WHEREAS, the Hillsborough County City-County Planning Commission conducted a public hearing on applicable language contained in this ordinance and made a finding that the proposed language 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; 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. 27-6. Establishment of Land Development Code." is hereby amended by adding the underlined language as follows:

1 **“Sec. 27-6. Establishment of Land Development Code.**

2
3 Pursuant to the provisions of the Local Government Comprehensive Planning and Land
4 Development Regulation Act, F.S. Ch. 163, Part II, the City of Tampa Land
5 Development Code shall consist of the following:
6

- 7 (1) Chapter 17.5, Article III, section 17.5-41 et seq., Concurrency Management
8 System;
9 (2) Potable Water Wellfield Protection Ordinance;
10 (3) Section 21-6, Alternative Materials and Methods of Construction, Section 21-7,
11 Borrow Pits, Mines, Section 21-8, Drainage Patterns, Section 21-9, Protection of
12 Public Drainage Systems;
13 (4) Chapter 22, section 22-134, Transit Stop Facilities, and Chapter 22, Section 22-
14 314 et seq., Driveways;
15 (5) Subdivision procedures set forth in chapter 27;
16 (6) Sections 25-68 through 25-75, Relating to Multi-modal Transportation Impact
17 Fees;
18 (7) Section 26-118, Required use of Sanitary Sewer; Section 26-128, Technical
19 Standards Adopted;
20 (8) Chapter 27, Zoning and Land Development; and
21 (9) Chapter 43 of the 1971 Code, Zoning.”
22

23 **Section 2.** That “**Sec. 27-237. New Tampa Commercial Overlay District**
24 **Development Standards.**” is hereby amended by adding the underlined language as
25 follows:
26

27 **“Sec. 27-237. New Tampa Commercial Overlay District Development Standards.**

28
29 ...(k) *Curb cuts/access management.* Access to developments within the University
30 North District are internalized through master planned internal roadway systems
31 designed to increase internal trip capture, thereby reducing trip length and
32 encouraging internal trip exchanges between various uses. An increase in internal
33 capture within these developments reduces congestion and preserves capacity on
34 the corridor.
35

36 Access to Bruce B. Downs Boulevard, Cross Creek Boulevard, and any
37 other applicable arterial or collector roadways shall be limited to those curb cuts
38 and access points approved on the applicable zoning site master plan,
39 development order and/or DRI master plan.
40

41 *Requests for additional curb cuts to Bruce B. Downs Boulevard.* Cross
42 Creek Boulevard, and any other applicable arterial or collector roadways,
43 including right in and right out driveways, will only be considered in instances of
44 overriding public safety issues. In cases where such a curb cut is approved due to
45 an actual safety need, the petitioner shall be solely responsible for any off-site or
46 site specific improvements which are necessary to facilitate the design of the

1 driveway or curbcut, including, but not limited to, signalization, turn lanes, and
2 acceleration/deceleration lanes. These transportation improvements are in no
3 instance creditable against multi-modal transportation impact fees.
4

5 Any proposed new access points to Bruce B. Downs Boulevard, Cross
6 Creek Boulevard, and any other applicable arterial or collector roadways shall
7 constitute a substantial change to the approved zoning site plan, as well as an
8 amendment to the DRI, where applicable, both of which shall require approval by
9 city council.”

10
11 **Section 3.** That “**Sec. 27-238. Westshore Overlay District Development**
12 **Standards.**” is hereby amended by adding the underlined language as follows:
13

14 **“Sec. 27-238. Westshore Overlay District Development Standards.**

15
16 ... (g)(1),

17 Table 238.2a

18 Notes:

19 [5] The sidewalk width shall be provided regardless of the width of the public
20 right-of-way. If necessary the required sidewalk may utilize any or all of
21 the building setback area. The sidewalk shall be made with scored
22 concrete and textured paving bricks (see Westshore Boulevard Sidewalk
23 Plan). The bricks shall be laid as shown in the Westshore Boulevard
24 Sidewalk Detail Specifications. An applicant may elect to either: (i) install
25 the sidewalk and provide an easement to the Transportation Division, or
26 (ii) dedicate such area to the City of Tampa, if applicable, with applicable
27 Multi-Modal Transportation Impact Fee Credits to be provided if
28 approved or (iii) pay the applicable in lieu fee per section 22-103. ...
29

30 Table 238.2b

31 Notes:

32 [5] The sidewalk width and adjacent Buffer Trees shall be provided regardless
33 of the width of the public right-of-way. If necessary the required sidewalk
34 may utilize any or all of the building setback area. Buffer Trees shall be
35 located on thirty foot (30') centers unless the available buffer area is less
36 than six feet (6') in width. An applicant may elect to either: (i) install the
37 sidewalk and provide an easement to the Transportation Division, (ii)
38 dedicate such area to the City of Tampa, if acceptable, with applicable
39 Multi-Modal Transportation Impact Fee Credits to be provided, if
40 approved, or (iii) pay the applicable in-lieu fee per section 22-103. ...
41

42 Table 238.2c

43 Notes:

44 [5] The minimum sidewalk width and adjacent Buffer Trees shall be provided
45 regardless of the width of the public right-of-way. Buffer Trees shall be
46 located on thirty foot (30') centers unless the available buffer area is less

than six feet (6') in width. An applicant may elect to either: (i) install the sidewalk and provide an easement to the Transportation Division, or (ii) dedicate such area to the City of Tampa, if acceptable, with applicable Multi-Modal Transportation Impact Fee Credits to be provided, if approved or (iii) pay the applicable in-lieu fee per section 22-103. ...

Table 238.2d

Notes:

[5] The minimum sidewalk width and adjacent Buffer Trees shall be provided regardless of the width of the public right-of-way. Buffer Trees shall be located on private property on thirty foot (30') centers unless the available buffer area is less than six feet (6') in width. An applicant may elect to either: (i) install the sidewalk and provide an easement to the Transportation Division, (ii) dedicate such area to the City of Tampa, if acceptable, with applicable Multi-Modal Transportation Impact Fee Credits to be provided, if approved, or (iii) pay the applicable in-lieu fee per section 22-103. ...

Table 238.2e

Notes:

[5] The minimum sidewalk width and adjacent Buffer Trees shall be provided regardless of the width of the public right-of-way. Buffer Trees shall be located on private property on thirty foot (30') centers unless the available buffer area is less than six feet (6') in width. An applicant may elect to either: (i) install the sidewalk and provide an easement to the Transportation Division, (ii) dedicate such area to the City of Tampa, if acceptable, with applicable Multi-Modal Transportation Impact Fee Credits to be provided, if approved, or (iii) pay the applicable in-lieu fee per section 22-103. ...

- (i) *Curb cuts/access management.* Requests for additional curb cuts, for existing development, will only be considered in instances of public safety issues. In cases where such a curb cut is approved, the petitioner shall be solely responsible for any off-site or site specific improvements which are necessary to facilitate the design of the driveway or curb cut, including but not limited to signalization, turn lanes, and accel/decel lanes. These transportation improvements are not creditable against multi-modal transportation impact fees. ..."

Section 4. That "Sec. 27-241. West Tampa Overlay District Development Design Standards." is hereby amended by adding the underlined as follows:

"Sec. 27-241. West Tampa Overlay District Development Design Standards.

- ...(i) *Curb cuts/access management.* Requests for additional curb cuts, for existing development, will only be considered in instances of public safety issues. In cases where such a curb cut is approved, the petitioner shall be solely responsible for

any off-site or site specific improvements which are necessary to facilitate the design of the driveway or curb cut, including but not limited to signalization, turn lanes, and acceleration/deceleration lanes. These transportation improvements are in no instance creditable against any applicable multi-modal transportation impact fees."

Section 5. That should a court of competent jurisdiction declare any part of this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by such determination as to the invalid part.

Section 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any conflict.

Section 7. That this ordinance shall take effect on August 1, 2015.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JUL 30 2015.

ATTEST:



CHAIRMAN/~~CHAIRMAN PRO-TEM~~
CITY COUNCIL



CITY CLERK/~~DEPUTY CITY CLERK~~

APPROVED BY ME ON AUG 03 2015



BOB BUCKHORN, MAYOR

APPROVED AS TO LEGAL
SUFFICIENCY BY:

E/S

REBECCA M. KERT
SENIOR ASSISTANT CITY ATTORNEY