

July 15, 2021

Privately Initiated Text Amendment

AMENDING SECTION 27-272

Applicant: Brian Seel, 313 W Park Avenue, on behalf of the Tampa Heights Civic Association

### **Executive Summary**

This proposed Code Amendment is intended to help protect the integrity of the Tampa Heights National and Local Historic District by implementing basic site and design standards for the rest of the Tampa Heights neighborhood surrounding the Historic Districts. The Tampa Heights Historic District protects less than one half of the neighborhood's urban and architectural integrity. There are currently no special overlays or design standards for the remainder of the neighborhood; basic City Code applies. The Tampa Heights area outside the Historic District contains a significant number of historic homes dating between 1890 and 1930. The borders of the Historic District contain the highest concentration of historic structures, but the urban fabric and development pattern outside those boundaries is seamless.

The Tampa Heights Civic Association (THCA) repeatedly requested additional protections since the foundation of the local Historic District in 2000. In 2014, THCA was promised by the City that a form-based code overlay process would commence in 2015, similar to what had been enacted for Seminole Heights. The overlay process never started. THCA petitioned every year thereafter and was told lack of a resources caused continual delay. In 2019, THCA's Land Use Committee met with the City and Planning Commission staff. We were told that if we did not want to keep waiting until the public resources were allocated, THCA must write our own code without City assistance and submit via Privately Initiated Code Amendment. After several years of effort, this code amendment has been written and submitted.

Tampa Heights Civic Association has explored other avenues for protecting our neighborhood's urban fabric. Board members and other Tampa Heights residents have had numerous discussions with City staff including Carole Post, Abbye Feeley, Dennis Fernandez, Eric Cotton, LaChone Dock, Randy Goers, and Stephen Benson. We also conferred with Councilman Gudes about this effort. Some staff advised THCA to explore expanding the Local Historic District Boundaries and associated design standards. Dennis Fernandez and Historic Preservation Commission Chair Vivian Salaga advised that this process would involve significant cost to THCA since the City does not have the time, funds, or staffing to conduct the associated architectural inventory and analysis. Even after that analysis, the subject area may not contain the threshold concentration of contributing historic structures that would qualify an expansion of the District.

This Code Amendment is in conformance of the Tampa Comprehensive Plan adopted January 7, 2016. The Comp Plan, in speaking to Historic Development Patterns Pre-World War II Pattern (page 30), states: "This period represents a time when many people walked, bicycled, or took the streetcar to work and other destinations. It features an interconnected, grid-style street network designed to maximize the efficiency of these transportation modes. Land uses were mixed, minimizing travel time between home, work and shopping. Homes and other buildings were oriented near the sidewalks, with parking

relegated to the back of the property. This pattern can be seen in historic neighborhoods around downtown Tampa: Hyde Park, Beach Park, Ybor City, *Tampa Heights*, Seminole Heights, Palmetto Beach, West Tampa and Virginia Park.” Current Chapter 27 regulations do not effectively regulate outcomes as stated in the Comp Plan. This Code Amendment is necessary to achieve that vision.

Furthermore, the Comp Plan on page 40, section Urban Villages, acknowledges the Tampa Heights Neighborhood plan, which was adopted by City Council in 2003. This plan, which details many goals in the “Urban Design” section starting on page 17, includes provisions such as to “Encourage design and orientation that reflects the historic Tampa Heights.”

Especially since 2015, the rate of uncomplimentary development has exploded when it should have been protected by regulations the City committed to enacting. Such development creates conditions that are dangerous to pedestrians, harms the welfare of surrounding homeowners, and detracts from the traditional urban fabric of the neighborhood. Any other avenue besides this Code Amendment would take numerous years to complete after the City eventually allocates the staff and financial resources. By the time that could happen, most of Tampa Heights would be completely overrun with redevelopment that further detracts from the unique character of the neighborhood.

#### **Current Code to be Amended**

Sec. 27-272. - Tampa Heights Historic District Design Guidelines.

The 2000 Edition of the Tampa Heights Historic District Design Guidelines is hereby adopted by reference, as it may be amended from time to time, and it, therefore, has the force and effect of law.

(Ord. No. 2000-235, § 4, 8-31-00)

#### **New Code to be Added**

See attached document

Signed by and sworn to be accurate to the best of my knowledge:

A handwritten signature in black ink that reads "B-Seel". The signature is written in a cursive, flowing style.

Brian Seel

President – Tampa Heights Civic Association

Personal Residence: 313 W Park Avenue

**ORDINANCE NO. XXXX-XX**

**AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, REGARDING DESIGN STANDARDS ESTABLISHED; AMENDING SECTION 27-272 TAMPA HEIGHTS HISTORIC DISTRICT DESIGN GUIDELINES OF THE CITY OF TAMPA CODE OF ORDINANCES; ADOPTING DESIGN GUIDELINES FOR THE ENTIRE TAMPA HEIGHTS NEIGHBORHOOD AREA; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 166.021, Florida Statutes, authorizes the City Council of the City of Tampa, Florida (the Council), to exercise powers that are not inconsistent with general or special law; and

**WHEREAS**, the Council found that it was in the best interests of protecting the health, safety and welfare of the citizens of the City of Tampa (the City) by adopting the Tampa Heights Design Guidelines (the Guidelines), via Ordinance 2000-235, on August 31, 2000; and

**WHEREAS**, the Guidelines implemented property development maintenance and structural standards directed at preserving the architectural and cultural values of the Tampa Heights neighborhood, recognizing the importance that consistent maintenance standards and guidelines yield economic and cultural benefits that support the maintenance of health, safety and general welfare of the Tampa Heights community; and

**WHEREAS**, the Tampa Heights area proximate to the Local and National Historical Districts established in September 7, 2000 and August 4, 1995 respectively, is an area with identical and compatible architectural and cultural values as the Local and National Districts; and

**WHEREAS**, the Guidelines have not been applied to this proximate Tampa Heights neighborhood area, and this is detrimental to the cohesive architectural and cultural values of the entire Tampa Heights neighborhood area; and

**WHEREAS**, this Ordinance amends relevant provisions of Article V, Division 4, section 27-272, City of Tampa Code of Ordinances by providing supplemental guidelines applicable to the Local and National Historical Districts established in September 7, 2000 and August 4, 1995 respectively and the Tampa Heights areas outside of those Districts ; and

**WHEREAS**, the Council finds that adopting Ordinance XXXX-XX is in the best interests of the City, its citizens, taxpayers and business community.

**NOW, THEREFORE, BE IT ORDAINED** by the Tampa City Council:

**Section 1.** Section 27-272 of the City of Tampa Code of Ordinances is hereby amended as follows, where the underlined text constitutes an addition and the ~~stricken~~ text constitutes a deletion:

Sec. 27-272. – Tampa Heights Historic District Design Guidelines.

The 2000 Edition of the Tampa Heights Historic District Design Guidelines (the Guidelines) is hereby adopted by reference, as it may be amended from time to time, and it, therefore, has the force and effect of law.

The Guidelines in Section 2 shall also apply to existing buildings within the Tampa Heights neighborhood area, outside of the Local and National Historical Districts established in September 7, 2000 and August 4, 1995 respectively, which is an area north and west of Interstate 275, east of North Boulevard, and south of State Road 574 (also known as Martin Luther King, Jr. Boulevard).

North Border

West Arlington Heights Sub of Block 5 Sub 4/5 BK: 7 PG: 64

Hagle Sub 4/6 BK 12 PG: 95

Deane's Percy Sub: 4/7 BK: 5 PG: 47

Azaleas Gardens Sub 4/10 BK: 26 PG: 74

Arlington Heights North Sub: 4HY BK: 4 PG: 51

Good's Addition to Tampa Sub: 4HH BK: 7 PG: 45

Bellmere Corrected Map of The Rev Map Sub: 4HF BK: 25 PG: 43

West Border

West Arlington Heights Sub of Block 5 Sub 4/5 BK: 7 PG: 64

Louisa Rev Map Sub: 413 BK: 23 PG: 10

Western Heights Sub: 4QU BK: 3 PG: 29

Excelcior Sub: 4QV BK: 4 PG: 1

Black's W C Second Addition Corrected Map Sub: 4QY BK: 8 PG: 11

MacFarlane Hugh C Sub: Rev Map Sub: 4R1 BK: 7 PG: 37

West Highlands Sub: 4Y3 BK: 2 PG: 37

Richards WJ Sub: 4Y4 BK: 12 PG: 10

Dill's Sub 4YB BK: 1 PG: 17

Cartagena Sub: 4YH BK: 4 PG: 28

Riverview Park Sub: 4YI BK: 5 PG: 41

South Border

Riverview Park Sub: 4YI BK: 5 PG: 41

Kammerer's Sub: 4YL BK: 1 PG: 26

Mobley's Sub Sub: 4YY BK: Q000 PG: 539

Henderson's Tampa Heights Sub: 4XV BK: 1 PG: 39

East Border

Oakridge Sub: 4XX BK: 1 PG: 76

Sparkman's Sub: 4Y0 BK: 1 PG: 51

Campbell's Sub: 4XD BK: 1 PG: 51

Roble's Sub: Sub of Lot D Sub: 4RE BK: 1 PG: 79

Roble's Sub of S160FT of W 146 YDS of Lot 1 Sub: 4RD BK: 2 PG: 2

Park View Sub Sub: 4RX BK: 24 PG: 70

Villa Bonnieventure Rev Map Sub: 4IC BK: 25 PG: 53

Ben Wiggin's Sub Sub: 4HX BK: 2 PG: 57

Bellmere Corrected Map of The Rev Map Sub: 4HF BK: 25 PG: 43

**Section 2.** The 2000 Edition of the Tampa Heights Historic District Design Guidelines is hereby adopted as amended in Exhibit A:

[These should be incorporated into the Guidelines]:

The new construction or replacement of chain link fencing within any yard which is visible from the fronting street, or both streets if a corner lot, is prohibited.

The building front doors of all new principal structures shall be oriented towards the front yard of the zoning lot or facing the nearest street, if a corner lot.

Minimum roof pitch for new residential structures shall be a minimum for porches of 4:12 or houses 6:12 (Ratio of Rise to Run). Roofs shall be gabled or flat, not mono-pitched. Flat roofs with parapet walls shall be permitted when precedent on the subject and immediately adjacent blocks is set by an historic structure. Roof pitches for additions to principal structures shall match the pitch of the existing roof.

If an existing lot is adjacent to an open and used public alley, vehicular access to the site must be provided from the alley as the primary vehicular access point provided it meets minimum standards referenced in 27-283.12, Off-street parking space standards. Vehicle access and flow shall be designed to have minimal impact on pedestrian circulation.

For single-family detached, semi-attached, or attached dwellings:

The vehicular entrance to an enclosed garage must be setback a minimum eight (8) feet or greater from the front façade of the building, or accessible from the rear alley, or accessible from the side yard. Exceptions shall be permitted for side load garages located at the front of the primary structure.

Garage entrances may not be front facing unless part of a set-back design.

Garages shall not be required to be a part of the primary structure. Garages in accessory structures shall be permitted by right.

Accessory dwelling units shall be permitted by right in all Residential Single Family Districts.

If a front porch is constructed, the porch shall be permitted to encroach into the setback up to ten (10) feet. This shall be permitted for multiple floors so long as the ground floor porch is included.

No sidewalk construction waivers shall be permitted.

**Section 3.** Pursuant to Section 166.041, F.S., the codifier of the City of Tampa Code of Ordinances, Municipal Code Corporation, shall codify the substantive amendments to the Code of Ordinances contained in Section 1 of this Ordinance as provided therein, and shall not codify any other sections not designated for codification.

**Section 4.** If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Council would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

**Section 5.** This Ordinance and Exhibit A, as amended, shall take effect immediately upon filing.

**DULY ADOPTED** with a quorum present and voting this \_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY COUNCIL, TAMPA, FLORIDA**

By: \_\_\_\_\_  
Chairperson

ATTEST:

By: \_\_\_\_\_

Submitted by  
Applicant

# Proposed Tampa Heights Residential Overlay

Overlay to apply to the area within red boundary, except the Tampa Heights Historic District which is shown in the blue dashed line

