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ORDINANCE NO. 2001- 13

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, AMENDING CHAPTER 27 OF THE CITY OF TAMPA CODE, ARTICLE XX. OVERLAY DISTRICTS, IN ORDER TO CREATE THE WESTSHORE COMMERCIAL OVERLAY DISTRICT AND TO PROVIDE DEVELOPMENT STANDARDS THEREFOR; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, certain property and business owners in the Westshore area requested that the city of Tampa amend its code to create a commercial overlay district for the Westshore area in order to guide future development in the area; and

WHEREAS, certain property and business owners in the Westshore area worked with members of City of Tampa staff to create guidelines for future renovations and new development in the area; and

WHEREAS, these guidelines were the subject of several meetings and workshops attended by interested parties; and

WHEREAS, the Hillsborough County City-County Planning Commission conducted a public hearing on this ordinance, and made a finding that it was consistent with the Tampa Comprehensive Plan; and

WHEREAS, duly noticed public hearings as required by law were held by the City Council of the City of Tampa, Florida; and

WHEREAS, all parties in interest and citizens were afforded notice and an opportunity to be heard at said hearings.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That Chapter 27, ARTICLE XX. OVERLAY DISTRICTS, be amended to create and add the following new Section 27-463, which shall read as follows:

1
2 **Sec. 27-463. Westshore Commercial Overlay District Development Standards**
3

4 **(a) Area Description**
5

6 The Westshore Commercial Overlay District is comprised of a series of
7 commercial nodes characterized by office, retail, restaurant and hotel uses.
8

9 **(b) Established Boundaries**
10

11 The "District" consists of all properties adjacent to both sides of Kennedy
12 Boulevard from I-275 to Dale Mabry Highway; Westshore Boulevard from
13 Kennedy Boulevard to Spruce Street; Cypress Street from Memorial Highway to
14 Dale Mabry Highway; Dale Mabry Highway from Kennedy Boulevard to
15 Columbus Drive; Lois Avenue from Spruce Street to Boy Scout Boulevard; the
16 south side of Spruce Street, from Memorial Highway to Manhattan Avenue; and
17 the south side of Boy Scout Boulevard/Columbus Drive from Manhattan Avenue
18 to Dale Mabry Highway.
19

20 **(c) Purpose and Intent**
21

22 The purpose and intent of the Westshore Commercial Overlay District
23 Development Standards are to guide future development, establish a District
24 character, as well as create an appealing environment, improve the existing
25 condition, provide for the appropriate advertisement of goods and services
26 available within the District, enhance pedestrian connections and increase the
27 public awareness of Westshore as a retail and business district, as well as to
28 continue to protect and preserve the existing residential development in the
29 Westshore area from adverse impacts. The overlay district shall further the
30 principles of Crime Prevention Through Environmental Design (CPTED) through
31 incorporation of the principles of Natural Surveillance, Natural Access Control,
32 and Territorial Reinforcement. All non-single family residential properties shall
33 comply with all Standards provided herein.
34

35 **(d) Compliance**
36

37 Every application for new construction, as defined in Chapter 27, shall comply with all
38 applicable overlay district and underlying zoning district standards or those standards
39 outlined in their City Council approved site plans.
40

41 Every application for major renovations, as defined in Chapter 27, shall comply with all
42 applicable overlay district and underlying zoning district standards or those standards
43 outlined in their City Council approved site plan. At no time shall the redevelopment of the
44 interior of a building require that the building be moved forward to meet the required
45 setbacks of this District.
46

1 All new construction or major renovations must meet both the requirements of this overlay
2 district and the underlying zoning district. These are the minimum requirements, which must
3 be met in order to obtain approval. In the event that there is a conflict between the overlay
4 district and underlying zoning district, the more restrictive regulations shall apply.
5

6 Alternative concepts may be considered by the Zoning Coordinator for both new
7 construction and major renovations if consistent with the above mentioned purpose and
8 intent. If denied, any applicant may appeal to the Variance Review Board, subject to the
9 requirements of Section 17.5-78, who shall make the final determination as to whether the
10 proposal complies with the standards of this section.
11

12 **(e) Review Procedures**
13

14 Compliance with all site, building, and sign standards will be determined during
15 the rezoning or commercial site plan and building plan review process, as
16 applicable.
17

18 **(f) General Building Standards**
19

20 1. Pedestrian amenities shall be provided next to areas used by the public,
21 including, but not limited to shade trees, public open space, water features,
22 sitting areas and mass transit stops.
23

24 2. At least thirty (30) percent of the ground level of the principal façade(s)
25 shall be constructed of transparent material.
26

27 3. Drive-through window services and queuing lanes shall be placed in the
28 side or rear yard of the parcel on which it is located. Drive through window services and
29 queuing lanes shall be located no closer than fifty (50) feet to residentially zoned
30 properties. Speaker systems shall not be aimed towards residentially zoned properties
31 and the owner of the speaker shall provide evidence that the noise levels created by the
32 speaker system does not exceed levels allowed by the City. . Queuing lanes areas should
33 incorporate natural surveillance techniques.
34

35 4. Chain link and wooden fences are prohibited in the District, except during
36 construction. Such construction fencing shall be removed prior to obtaining any
37 certificate of occupancy. Decorative fencing for the purposes of implementing CPTED
38 principles is encouraged.
39

40 5. Unpainted or unfinished block fences or walls are prohibited. All sides
41 and elevations of buildings, walls, or block fences visible from public
42 right of way or an adjacent parcel must be architecturally finished (i.e.
43 brick, stucco, or textured concrete masonry units) and maintained.
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6. Doors, windows, and other architectural features shall be used to break large wall planes into smaller components. No more than 30% of consecutive front facade that is oriented to and visible at ground level from public rights of way may remain unembellished.
7. All outdoor light fixtures must light all public use areas adjacent to the building (e.g. entryway, courtyards, parking lots, etc.) to a recommended 0.5 to 1.0 foot candle level of illumination. Light fixtures shall be aimed away from residentially zoned properties and shall be of an intensity that does not create a negative impact on the adjacent residential properties.
8. Any exterior garbage receptacles, dumpsters, open storage areas (as defined in Section 27-523) or mechanical equipment must be screened from view from public rights-of-way and residential single family zoned property with 100% opaque material that is compatible with the materials used on the nearest facade of the principal structure. Additionally, garbage receptacles, dumpsters, open storage areas and/or mechanical equipment must be a minimum 25 feet from any property zoned for residential uses and shall be incorporated into the main structure as a part of new construction or major renovation.
9. Rooftop equipment, excluding vents and stairwell access, shall be screened from view at ground level by use of parapet walls or architecturally compatible screens.
10. Continuous sidewalks shall be provided along the entire length of street frontage, and shall be aligned with and connected to that of adjacent and contiguous properties.
11. For properties with multiple tenants and/or multiple structures on site, pedestrian circulation shall be provided between tenants and/or structures through the use of a sidewalk or other suitable pedestrian connection, not less than five feet wide and where applicable, shall align with and connect to that of adjacent and contiguous properties. Sidewalk paving or other pedestrian connections, where applicable, must continue uninterrupted across the mouth of all curb cuts, subject to Section 22-315 of the City of Tampa Code of Ordinances.
12. Retention ponds shall be maintained, landscaped and/or must contain special site features, such as fountains or reflecting pools.
13. The entrance to all service bays for automotive repair and service business must be oriented away from view of any arterial or collector roadway(s) and residentially zoned properties. All automotive repair and service shall take place within the fully enclosed area of the building in which such use is located.

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- 14. All buildings shall have pedestrian access oriented toward the public sidewalk adjacent to the street.
- 15. Illuminated tubing which outlines a building, fence or other similar structure or part thereof, measuring more than twenty linear feet or enclosing any area greater than twenty square feet is prohibited.
- 16. The numerical address of each building should be clearly displayed and easily observed from the public right of way.

(g) Parking Standards

Vehicle access shall have minimal impact on pedestrian circulation. Sidewalk paving must continue uninterrupted across the mouth of all curb cuts, subject to Section 22-315 of the City of Tampa Code of Ordinances. Decorative pavers, other textured material, or similar permanent delineations shall be used across the mouth of all curbcuts to provide a pedestrian conveyance.

- 2. The façade of parking structures which are within 25 feet of the street right of way must consist of commercial, retail, or office uses on the ground level.
- 3. Parking structures shall provide landscaping adjacent to those areas which are visible from the street right of way and shall provide and maintain planter boxes in those areas adjacent to residential development. Additionally, such structures over 45 feet in height shall increase the required yard by one (1) foot for each one (1) foot of height.
- 4. A minimum of eighty(80) percent of all surface parking for commercial properties shall be located in the side or rear yard of the property. All surface parking for other non-single family residential properties shall be located in the rear or side yard of the property. CPTED techniques should be incorporated in the design and security of all parking areas (i.e., visibility, access and security).
- 5. Vehicular use areas shall not be closer than 25 feet from property zoned for single family uses and shall be screened from said residential uses with a six foot high masonry wall and 15' landscaped buffer.
- 6. It is recommended that parking facility lighting maintain a light level of 4.0 to 4.0 foot candles.
- 7. Parking structures should have sufficient security measures and will be reviewed by a certified CPTED Practitioner

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2 **(h) Landscaping, Buffers, and Screening Standards**
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- 4 1. An eight (8) foot landscape buffer shall be provided along the boundary of
5 all vehicular use areas abutting public right of way. Said buffer shall
6 contain one four inch caliper tree per thirty (30) linear feet of vehicular
7 use area abutting a right of way, and a two foot hedge planted twenty-four
8 (24) inches on center. All plants shall meet or exceed the requirements of
9 Chapter 13. Buffer trees may be grouped and larger diameter trees may be
10 substituted on a 2" for 1" basis within an alternative concept and
11 considered on a case by case basis. Trees adjacent to surface parking areas
12 should be trimmed to maintain a six (6) foot clear height, hedges and
13 bushes should be trimmed to maintain a maximum of two (2) feet in
14 height.
- 15
- 16 2. All portions of each site that are not devoted to building or paving shall be
17 landscaped. No more than thirty (30) percent of the landscaped area may
18 be grassed, the balance shall be landscaped in shrub and ground covers.
19 All Bahia grasses are prohibited.
- 20
- 21 3. Properties adjacent to residentially zoned properties shall maintain a
22 fifteen foot landscaped buffer and six foot high masonry wall. Said buffer
23 shall consist of at least one tree per 60 linear feet of abutting property.
- 24
- 25
- 26 4. All landscaping must be maintained in good order and all applicants for
27 new construction or major renovation shall provide a schedule of
28 maintenance for the installed landscaping.
29

30
31 **(i) General Sign Standards**
32

33 The following sign standards shall apply to new signs. The following provisions are
34 intended to establish a coordinated graphic program that provides for occupant identification
35 and directional communication, while allowing the creation of unique and informative signs
36 that give a distinct and aesthetically pleasing flavor. These guidelines are not intended to
37 prohibit unusual signs that may enhance the character of the building, or reflect the nature of
38 the business.
39

- 40 1. Billboards and/or off-site signs are prohibited. Only signs that advertise
41 the business conducted, services rendered, occupant names/symbols, or
42 primary goods sold on the site upon which the sign is erected will be
43 permitted. Signs vested under previous agreements between the City of
44 Tampa and the sign owner will not be affected by this Overlay District.
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2. No sign on a parcel adjacent to or within three hundred (300) feet of a residence shall be illuminated from 11:00 p.m. to 7:00 a.m., except where the premise that the sign advertises is open for business. At no time shall the light from a sign be directed towards a residence.
3. Pylon signs for single occupancy parcels shall be limited to a maximum of fifty (50) square feet in dimension per sign face. Such pylon signs are limited to a maximum height of ten (10) feet, subject to the requirements of Section 27-240.
4. Pylon signs for multiple occupancy parcels which are entitled to one sign shall be limited to a maximum of one hundred (100) square feet in dimension per sign face. Such pylon signs are limited to a maximum height of fifteen (15) feet, subject to the requirements of Section 27-240.
5. If a multiple occupancy parcel is entitled to more than one pylon or ground sign, per Section 27-141, then all allowable pylon or ground signs may be combined into a single pylon or ground sign not to exceed 150 square feet per sign face. Such pylon signs are limited to a maximum height of fifteen (15) feet and ground signs shall be limited to twenty (20) feet.
6. Ground signs for single occupancy parcels shall be limited to a maximum of fifty (50) square feet in dimension per sign face. Such ground signs shall have a minimum clearance of seven (7) feet at the bottom and a maximum height of fifteen (15) feet.
7. Ground signs for multiple occupancy parcels which are entitled to one sign shall be limited to a maximum of one hundred (100) square feet in dimension per sign face. Such pylon signs are limited to a maximum height of seventeen (17) feet, subject to the requirements of Section 27-240.
8. The surface area of all shapes, letters, numbers, symbols or illustrations shall not exceed twenty-five (25) percent of the awning or canopy sign surface. Only awnings and canopies constructed of opaque material may be illuminated.
9. Wall signs shall not exceed more than one square foot per one linear foot of building frontage facing a public street. No wall sign shall extend more than 12 inches out from the wall to which it is attached nor shall it extend more than 18 inches into the public right of way.
10. Multi-family residential dwelling identification signs must comply with Section 27-141 (b), and shall not exceed fifteen (15) feet in height.

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(j) Transit Stop Provisions

Wherever possible, development within the Westshore Overlay District shall be designed to maximize the efficiency of mass transit. The developer shall coordinate with the City of Tampa and the Hillsborough Area Regional Transit (HARTline) system to determine if the site warrants transit stop improvements such as easement dedication or transit shelters. These improvements may be considered for justification for the reduction of up to 10 percent of the required parking spaces.

(k) 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 curbcut, including but not limited to signalization, turn lanes, and accel/decel lanes. These transportation improvements are in no instance creditable against transportation impact fees.

Roadway Landscaping Guidelines

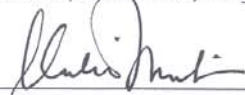
All roadway improvements within the District plus the following roadways which serve as gateways into the Westshore District, I-275 from the Howard Frankland Bridge to Himes Avenue and SR 60 (Memorial Highway and Courtney Campbell Causeway) from Kennedy Boulevard to the city limits, shall dedicate a minimum of one (1%) percent of the total cost of the improvement for landscaping and irrigation within or adjacent to the improvement area. The design of such landscaping and irrigation should be reviewed and approved by the City of Tampa.

Section 2. 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 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any conflict.

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

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JAN 04 2001.



CHAIRMAN, CITY COUNCIL

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ATTEST:

Janette S. Martin
CITY CLERK

APPROVED BY ME ON JAN 05 2001
Dick A. Greco
DICK A. GRECO, MAYOR

PREPARED AND APPROVED BY:

Andrea E. Zelman
ANDREA E. ZELMAN
ASSISTANT CITY ATTORNEY