

4.0 TECHNICAL INFORMATION

4.1 AICUZ for MacDill Air Force Base

Urban areas around airports are exposed to the possibility of aircraft accidents even with well-maintained aircraft and highly trained aircrews. Based on and confirmed by analysis of over 800 major United States Air Force (USAF) accidents at many USAF bases during 1968 through 1995 which occurred within 10 miles of the associated base, three planning zones have been established. The Air Installation Compatible Use Zone (AICUZ) Study, completed in 1998, identified these zones as “Clear Zone (CZ),” “Accident Potential Zone I (APZ I),” and “Accident Potential Zone II (APZ II).” The three zones are established for Runway 04/22 AFB as shown in Exhibit 4-1.

It should be noted that USAF policy permits non-standard configurations for APZ’s based on actual flight take off and approach patterns (Exhibit 4-2). Runway 04/22 at MacDill Air Force Base is used approximately 70% of the time and departures turn to the east at the departure end of the runway. As a result, APZ’s north of MacDill Air Force Base are a non-standard configuration based on the flight path of most aircraft operating to and from Runway 04/22. The dimensions of the APZ’s, however, are the same as for standard APZ’s described in Sections 4.3 below.

The AICUZ further outlined allowable land uses and densities within these three areas. Table 4.2: Land Use Compatibility Guidelines in the AICUZ Study states that residential uses are incompatible within the CZ and the APZ I. Furthermore, the APZ II identifies allowable residential uses at a rate of no more than 1-2 units per acre. Other uses such as churches, restaurants, and medical facilities are also identified as incompatible within the CZ and APZ I areas.

The City of Tampa in cooperation with MacDill Air Force Base conducted this JLUS to identify existing development encroachment densities, within a defined Study Area, adjacent to the Base. The JLUS was completed in three (3) phases, which analyzed each AICUZ Zone in depth and made recommendations regarding development issues adjacent to the Base. Phase I of the Scope of Work identified several uses of land with varying densities and intensities. Data was compiled regarding development trends in the Study Area.

4.2 AICUZ and MacDill Air Force Base Master Plan Relationship to JLUS

4.2.1 AICUZ Resource Book for MacDill Air Force Base

The AICUZ study prepared in April, 1998 documented current flight operations and noise contours resulting from the reassignment of F-16 aircraft from MacDill in 1991, reassignment of KC-135R aircraft to MacDill in 1996 and the alteration of flight tracts for new mission purposes. The study analyzed aircraft noise and accident potential to determine land use compatibility and provided compatible land use guidelines for the area surrounding the base to assist local communities in future planning and zoning activities. The AICUZ provided an analysis of various uses outside of MacDill

Air Force Base and the amount of these uses within specific land use and zoning types.

4.2.2 MacDill Air Force Base General Plan

The MacDill Air Force Base General Plan (Exhibit 4-3) is a comprehensive master planning document which guides the on-base development of the installation through the Year 2020. The original General Plan was completed in 2002 and is currently being updated with a completion date in July 2006. It analyzes existing land uses and their functional relationships, makes recommendations to future land use changes, identifies development constraints and opportunities, and gives a focused vision of future development in key areas. This focused vision is accomplished through the use of area development plans in eleven areas of the base and gives a 2020 view of an area with not only the projected facilities, but also the required roads, sidewalks, parking, and stormwater retention to make the area a viable part of the MacDill community.

The update of the General Plan recognizes the ongoing work of the JLUS and its importance to both the welfare of the community and the operations at MacDill Air Force Base. The Plan Findings include a recommendation for MacDill Air Force Base to continue to work the City of Tampa to implement the recommendations of the JLUS.

4.3 AICUZ Planning Zones

4.3.1 Clear Zone

Generally, the CZ for each runway starts at the end of the runway and extends outward 3,000 feet and is 3,000 feet wide (1,500 feet to either side of the extended runway centerline). The CZ has the highest potential for accidents to occur. 27% of the accidents studied occurred in the Clear Zone. This is an area that has a policy of acquisition through purchase or easements to eliminate any development activity.

The City of Tampa has acquired 10 parcels of land totaling 35.42 acres in and abutting the CZ. Further, a passive recreation plan which involves bike trails without any facilities has been developed in this zone. A summary of the City of Tampa's land acquisitions in and abutting the CZ is provided in Table 4-1 and illustrated in Exhibit 4-4.

4.3.2 Accident Potential Zone I (APZ I)

Generally, the APZ I extends from the CZ an additional 5,000 feet and is 3,000 feet wide centered on the extended runway centerline (1,500 feet to either side of the extended runway centerline). It includes an area of reduced accident potential. 10% of the accidents studied occurred in this area.

The City's Land Development Coordination Division conducted a study of approximately 1,439 parcels in the APZ I area to illustrate the development

trends within the area. Portions of the study were prepared in 2001 and updated as part of the JLUS to reflect more recent construction. The sample area is approximately 443.45 acres with an average of 5.16 dwelling units per acre for single-family development which comprises 82% of the total number of parcels and 52% of the total acreage.

As a result of City staff's compilation of data on development trends in the Accident Potential Zone I (APZ I) Area, eleven use categories were found by field verifications. Residential uses including single family, duplex and multi-family uses occupy 59% of the overall acreage and 94% of the total number of parcels within the APZ I sample area. The Table below outlines total acreage and total number of parcels devoted to each of the eleven uses including vacant land.

The remaining 41% of the land within the APZ I sample area is occupied by non-residential uses, with parkland at 29% and vacant land at 8% followed by office, schools, warehouses, auto sales and repair, retail, and utilities.

The APZ I area has experienced a fair amount of special use and rezoning requests, which involve changes in allowable uses, intensities, and overall development densities. Between 1997 and 2004, seven (7) single-family residential parcels with seven (7) built units were approved to split and become fourteen (14) units, which increased the density by 100%. Between the same years and including 2005, the following multi-family and commercial uses were also approved: daycare facility, private school with club, eight (8) bed assisted living facility, six (6) townhouses, and a photography studio. All of these uses are defined as incompatible within the CZ and APZ I per the AICUZ Study.

A summary of residential and non-residential use categories for APZ I is provided in Table 4-2 and Table 4-3, respectively, and illustrated in Exhibit 4-5. The parcel counts, acreage, and densities where applicable are listed in Table 4-4 for each of the eleven uses In APZ I.

4.3.3 Accident Potential Zone II (APZ II)

Generally, the APZ II extends from the outer end of the APZ I an additional 7,000 feet. This is an area of further reduced accident potential. 5% of the accidents studied occurred in this area. The APZ II is 3,000 feet wide centered on the extended runway centerline (1,5000 to either side of the extended runway centerline).

The City's Land Development Coordination Division conducted a study of approximately 1,194 parcels in the APZ II area as part of the JLUS to illustrate the development trends since 1997. The sample area is approximately 320.38 acres with an average of 4.27 dwelling units per acre for single-family development which make up 81% of the total parcels and 70% of the total acreage of the sample area.

The APZ II area has experienced a fair amount of rezoning requests, which involve changes in allowable uses, intensities, and overall development densities. Between 1997 and 2005, there were eleven (11) changes resulting from rezoning approvals in which five (5) single-family parcels were changed to twenty two (22) residential units; two (2) vacant parcels were changed to four (4) residential units; one duplex was changed to three (3) residential units and two (2) landscape nurseries were changed to twenty six (26) townhouse units.

The APZ II area experienced a single Special Use request resulting in a change from one single-family residential to six (6) townhouse units in 2003.

As a result of City staff's compilation of data on development trends in the Accident Potential Zone II (APZ II) Area, eleven use categories were found by field verifications.

Residential uses including single family, duplex, triplex and multi-family uses occupy 96% of the overall parcels within the APZ II sample area and 88% of the acreage. The Table below outlines the total acreage and total number of parcels devoted to each of the eleven uses including vacant land.

The remaining 12% of the land within the APZ II study area is occupied by non-residential uses, with vacant land at 4% and parkland at 3% followed by schools, churches, retail, office and utilities.

The parcel counts, acreage, and densities where applicable are listed in Table 4-5 for each of the eleven uses. A summary of residential and non-residential use categories for APZ II is illustrated in Exhibit 4-6.

4.3.4 Noise Contours

The AICUZ calculated and plotted the day-night average A-weighted sound level (DNL) 65 dB through the DNL 80 dB for aircraft operations at MacDill Air Force Base. As stated in section 4.1 of this report, the actual flight pattern for Runway 04/22 has a turn to the east at the departure end of the runway. This results in a corresponding bend in the noise contours extending approximately 1.5 miles into Hillsborough Bay east of MacDill Air Force Base (Exhibit 4-7).

4.4 AICUZ Land Use Analyses

A summary of these AICUZ analyses outlined in Section 5 of the AICUZ study is as follows:

4.4.1. Existing Land Uses within DNL 65dB Noise Contour

499 acres of land are within the DNL 65 dB Noise Contour, 66% was residential, 16% was recreation/open, 9% was public/quasi public, 5% was industrial and 4% was commercial.

4.4.2. Existing Land Uses within the Accident Potential Zones

796 acres of land are within the Clear Zone and Accident Potential Zones (APZ's), 70% was residential, 14% was public/quasi public, 11% was recreation/open, 3% was commercial and 2% was industrial.

4.4.3 Existing Zoning within DNL 65dB Noise Contour

690 acres of land are within the DNL 65 dB Noise Contour, 68% was residential, 31% was industrial and 1% was commercial.

4.4.4 Existing Zoning within the Accident Potential Zones

1,032 acres of land are within the Clear Zone and APZ's, 81% was residential, 18% was industrial and 1% was commercial.

In order to provide land use compatibility guidelines, the AICUZ report describes three basic constraints that affect flight operations: height limitations, noise levels generated by aircraft operations and statistical analysis of past aircraft accidents.

Using the above information as well as Land Use Compatibility guidelines an Incompatibility Land Use Table was prepared in the AICUZ study. Each land use had to meet compatibility criteria for its category for both noise and accident potential in order to be considered compatible. The study determined that certain uses are incompatible in the APZ's and Clear Zone. Details of these incompatible uses are provided in Table 4-6 and are summarized below:

- Clear Zone: Of the 51 acres within the clear zone, 65% were public/quasi public, 17% was industrial, 12% was commercial and 6% was residential.
- APZ I: Of the 327 acres within the APZ I, 91% was residential, 5% was public/quasi public and 4% was commercial.
- APZ II: Of the 29 acres within the APZ II, 100% was public/quasi public.
- DNL 65-70 dB Noise Contour: Of the 85 acres within the DNL 65 -70 dB Noise Contour but not within the APZ's, 100% were residential.

4.5 Summary of AICUZ Study and Existing Land Uses

The AICUZ study's land use guidelines do not recommend residential uses within the clear zone or APZ-I zone and permit only single-family detached units at a maximum density of 1-2 du/ac in the APZ II's. The AICUZ study indicated that 70% of existing land uses within the clear zone and APZ's was residential. These existing residential areas are predominantly platted and zoned for a minimum of 5,000 and 6,000 square foot lots at a density in excess of 2 du/ac. An analysis of percentages of existing land use and zoning within the APZ's and the 65 dB contour is provided in Table 4-7.

4.6 City of Tampa Comprehensive Plan Evaluation

4.6.1 Local Efforts to Mitigate Impacts - Current Policies

The City of Tampa's 2006 Evaluation and Appraisal Report of its Comprehensive Plan indicates that two AICUZ (Air Installation Compatible Use Zone) studies have been completed for MacDill Air Force Base, the first in 1979 and the most recent in 1998. As a result of the 1979 AICUZ study, the City for the first time, incorporated policies and delineated the Clear Zone and APZ's within its 1989 Comprehensive Plan. The 1998 AICUZ study concluded that development had encroached into the AICUZ zone and recommended several actions to protect the base from future encroachment. The City of Tampa Comprehensive Land Use Plan Map for the Study Area is provided in Exhibit 4-8.

The City of Tampa Comprehensive Plan was amended to include policies designed to promote and protect operations at MacDill Air Force Base. These policies were derived from the recommendations of the 1998 AICUZ study and established criteria for achieving compatibility with the military installation. The nine policies are found under Objective A-3 of the Future Land Use Element (FLUE) of the Comprehensive Plan and Objective 9.6 of the Transportation Element of the Comprehensive Plan and address the following six (6) encroachment criteria:

1. Land Use Compatibility
2. Regulation of Heights and Obstructions
3. Maintenance and Reduction of Densities
4. Participation of MacDill Air Force Base in the Development Review Process
5. Mitigation of Noise Impacts
6. Road Access

The intent of the policies in the FLUE are:

1. Require adjacent development to be compatible with the airport related activities;
2. Limit new construction and redevelopment to 10 du/ac within the flight path;
3. Prohibit new development which inhibits safe and efficient airport operations within the accident potential zones;
4. Prohibit noise sensitive development such as residences, schools, hospitals, etc. which do not provide the required noise attenuation features;
5. New development shall not obstruct aircraft operations by intersecting the airport zones; and
6. All building regulations (FAR and height) shall be promoted to guarantee the continued efficient airport operation to ensure public safety.

The intent of the policies in the Transportation Element are:

1. City shall ensure that new development will not obstruct military aircraft operations by intersecting the airport zones;
2. MacDill Air Force Base representative shall be included in the review of all rezonings and plan amendments within the accident potential zones;
3. City shall consult AICUZ/CUD recommendations when addressing proposed land use changes within APZ I and APZ II;
4. City shall promote compatible development within accident potential zones through maintenance of reduced densities;
5. City and Planning Commission shall continue to review impacts of development, their visibility characteristics and penetration airspace within approach zones;
6. Prohibit construction of communication towers and antennas in AP zones; and
7. City shall protect all access roads to and from the base, from private interest road closures.

4.6.2 Current City of Tampa FLUE Policies of the Comprehensive Plan

The following assessment of existing FLUE policies pertaining to MacDill Air Force Base was prepared by City staff as part of the required City of Tampa's 2006 Evaluation and Appraisal Report:

For the most part, prior to 2000, development in and around MacDill Air Force Base was stable and no major compatibility issues surfaced. However, after 2000, infill development in the Ballast Point area (within the AICUZ) began to occur. In response to concerns expressed by MacDill Air Force Base, the City completed a preliminary analysis of the status of development around the Base, particularly as it relates to the AICUZ zone. That analysis indicated that much of the development in the AICUZ zone had occurred in previous years, at a significantly lower density than the approved land use and zoning classifications and within the criteria established in the Comprehensive Plan.

The City of Tampa and MacDill Air Force Base agreed to implement additional procedural actions to address the concerns of the Base and to promote compatible development. An agreement was reached between the City of Tampa Mayor and the Base Commander on the following procedures:

1. The City will send notices of rezonings, land use amendments and cell tower requests to the MacDill Air Force Base's Base Community Planner.
2. The City will not promote the development of the land in the AICUZ areas to a higher intensity than this currently allowed.
3. The City will not promote an intensification of the current allowable densities in the AICUZ areas.

The City will propose code revisions to the City's Zoning Code that will:

1. Include MacDill Air Force Base as a member of the City's Development Review Committee (DRC), thereby providing notice and ability to comment to the base commander of all proposed rezonings that are proposed for the AICUZ.
2. Allow the MacDill Air Force Base base commander to have the option of providing written comments on any proposed rezoning in the AICUZ.
3. Allow the MacDill Air Force Base commander (or designee) to appear publicly to support its position on such rezonings that are scheduled on Tampa City Council's agenda. City Council will evaluate all public comment and make a final decision.

In 2003, in anticipation of potential legislative requirements pertaining to military base installations, the City completed an in-house Military Readiness Assessment that evaluated past recommendations pertaining to MacDill Air Force Base. The assessment produced the following findings:

1. The MacDill AICUZ area has been subjected to encroachment; however, the encroachment took place well in the past. In fact, the MacDill AICUZ area is nearly developed (as of 2003).
2. Between 1990-2000, population growth in the AICUZ has been stable, only increasing by 0.68% during the 10-year period.
3. 37.0 percent of the AICUZ is over water, providing a natural boundary to development and future encroachment.
4. 67.6 percent of the AICUZ area is compatible with Air Force AICUZ guidelines.
5. 31.9 percent (343.4 acres) is vacant, but only 72.2 acres are held in private ownership.
6. The average housing density of the AICUZ is 3.5 D.U./acre, far below adopted FLUE levels of 10 DU/acre, but still higher than the desired AICUZ guidelines of 0-2 DU/acres.
7. Between 1989 - 2003, there have been no plan amendments within the AICUZ area.
8. Between 1990 - 2003, there have been 23 rezonings in the AICUZ, nearly half of which resulted in a Planned Development (PD) designation, potentially increasing residential density.
9. The City has procedures in place to regulate noise and building heights/obstructions in accordance with AICUZ guidelines.

The initial conclusions of the Military Readiness Assessment indicated that the greatest potential concern for encroachment in the AICUZ area is derived from the PD rezonings, where residential development intensities far exceed AICUZ guidelines. The Assessment suggested improved coordination procedures between MacDill Air Force Base and the City of Tampa to better manage the existing and anticipated growth.

Encroachment concerns heightened in early 2005 as Congress prepared to hold the Base Realignment and Closure (BRAC) Committee hearings. In an effort to protect MacDill Air Force Base from further encroachment, the City established a one-year abatement on plan amendments or rezonings that would increase residential development within the AICUZ zone. The City and MacDill Air Force Base also committed to completing a JLUS to identify strategies that will achieve the compatibility of adjacent or closely proximate lands with MacDill Air Force Base and ensure continue military operations.

The City formalized actions through two plan amendments, one establishing MacDill Air Force Base as a member of the City's Development Review Committee on all petitions for rezoning and special use requests in and around the AICUZ zone. The other policy calls for completing the JLUS. These plan amendments were submitted during the August 2005 Plan Amendment Cycle.

In mid-2005, the City of Tampa, through a grant from the Federal Office of Economic Adjustment, began work on the JLUS for the area adjacent to MacDill Air Force Base. The study is slated to be completed by July 31, 2006 and is expected to produce formal recommendations on land use compatibility, particularly how to best manage increasing residential infill development. These recommendations will provide a basis for policy initiatives to the FLUE and land development regulations. The criteria in the plan will be amended based on the recommendations of the JLUS study.

4.7 City of Tampa Zoning Code Evaluation

Chapter 27, the existing Zoning Ordinance for the City of Tampa addresses the study area the same as any other area in the City. The delineation of the APZ's on the Future Land Use Plan map and incorporation of policies into the FLUE of the Comprehensive Land Use Plan could be implemented by the existing zoning code and required no changes to Chapter 27. These FLUE changes essentially addressed densities of residential development but were silent as to non-residential intensities within the APZ's. The existing Industrial General (IG) zoning within the CZ permits a FAR of .75 and a maximum height of 60 feet while the existing Commercial General (CG) zoning district in APZ I and APZ II, permits a FAR of 1.0 (which allows an equal amount of building square footage as the size of the land or lot) and a maximum height of 45 feet.

Tampa International Airport (TIA) is the only airport in the City with a specific Comprehensive Land Use Plan category and specific zoning districts (adopted in 1986) designed to promote the appropriate type and intensity of development of land uses on and surrounding TIA. Chapter 27 contains four Municipal Airport Compatibility (M-AP) airport compatibility zoning districts which are applied to airport landing areas and to other surrounding areas in proximity to TIA boundaries or operations.

The creation of new zoning districts as a result of this JLUS should be based on the existing M-AP district as the City has 20 years of experience with enforcement of

these districts. The proposed zoning districts should similarly regulate uses, lot coverage, setbacks, building heights etc. in each of the four areas of the five districts. The relationship of the proposed zoning districts to the companion land use category should have the same flexibility as the existing M-AP where individual use compatibility is determined by the Zoning Administrator. It is anticipated that permitted uses in the new zoning districts will be limited to community serving general commercial development, similar to the types of uses existing along Dale Mabry Highway and MacDill Avenue as they are more compatible with the adjacent residential development than some of the heavier type of commercial uses permitted around TIA.

On April 12, 2006, the Policy Committee concurred with the creation of five new zoning districts to encourage development that is compatible with aircraft operation and to increase safety and limit population by maintaining a lower density of development and to promote and protect MacDill Air Force Base. The new zoning districts will be called Military Installation Airport Compatibility (MI-AP) 1 through 5. MI-AP-1 will be applied to the Clear Zone; MI-AP-2 will be applied to APZ-I; MI-AP-3 will be applied to APZ-II areas; MI-AP-4 will be applied to areas currently zoned commercial, primarily along MacDill Avenue and Dale Mabry Highway; and MI-AP-5 will be available for future rezonings to the equivalent of the existing PD zoning district requiring a site plan.

Existing zoning districts are shown in Exhibit 4-9.

4.8 Demographic Analysis

The following 5 census tracts (CT) cover the JLUS area (Exhibit 4-10):

- CT 68.01 located north of Bay Avenue, east of Dale Mabry Highway to MacDill Avenue (only small portions of APZ I and APZ II fall within this CT);
- CT 68.02 located north of Conley Avenue, east of MacDill Avenue to Hillsborough Bay (most of APZ II falls within this CT);
- CT 69 to the south of Bay and Conley Avenues to the Base, east of Dale Mabry Highway to Hillsborough Bay (most of APZ I falls within this CT);
- CT 70 located south of Gandy to the Base, west of Dale Mabry to Manhattan Avenue (only a small portion of the Clear Zone designated Light Industrial falls within this CT). Data for CT 70 is included for information purposes only.

Census tracts 68.02 and 69 contain most of the flight paths. Although CT 69 encompasses a larger area and contains a higher population (2,036 persons more) than CT 68.02, they have comparable densities. CT 68.02 has a slightly higher density, some 67 persons per square mile more. The percentage of owner occupied (63%) versus renter occupied (37%) is the same for both CT 68.02 and CT 69, however, persons per household is higher in CT 69 (2.36) than in CT 68.02 (1.94). The final table shows that persons per household figures are highest for single family residences compared to all housing types. CT 69 has the highest persons per household in single family residences (2.65) of all the other census tracts. An analysis of census tract data within the study area is provided in Tables 4-8, 4-9, 4-10 and 4-11.

4.9 Land Use Analysis

4.9.1 Background

As stated in Section 1 of this document, the southern portion of the City of Tampa adjacent to MacDill Air Force Base is comprised of approximately 6,700 individual parcels of land and has historically experienced waves of development pressures. The existing uses on these parcels include but are not limited to, residential, commercial, industrial, and public parks and recreation. Redevelopment efforts have continued adjacent to the Base due to its prime location adjacent to Hillsborough Bay and Tampa's Central Business District. Although much of the area was developed from 1940 to 1959, there was a large surge of development during the 1980's. This surge subsided during the 1990's; however, development interests have increased in this area and a number of new developments have been completed since 2000.

With the potential for increased development in the area, the need for a systematic evaluation of a larger area of the properties affected by the Base became more apparent. Encroachment concerns heightened in early 2005 as Congress prepared to hold the Base Realignment and Closure (BRAC) Committee hearings.

Given the timeline and completion date for the JLUS, on August 5, 2005, the City of Tampa City Council took action to abate any request for rezoning, special use, or comprehensive plan amendment, for any parcel of land that was within the CZ or APZ I boundary, until August 5, 2006 (Exhibit 4-11). The original AICUZ study clearly delineated the CZ and APZ's to acknowledge the risks associated with military installations. This temporary abatement was to allow for the completion of a comprehensive and thorough review of development encroachment concerns adjacent to MacDill Air Force Base. On June 22, 2006, the City of Tampa City Council will have a 1st reading of an ordinance to extend the abatement period until February 5, 2007. A 2nd reading and adoption of the ordinance is scheduled for July 13, 2006.

The City and MacDill Air Force Base also committed to completing the JLUS (JLUS) to identify strategies that will achieve the compatibility of adjacent or closely proximate lands with MacDill Air Force Base and ensure continue military operations. Existing land uses within the study area are shown in Exhibit 4-12.

4.9.2 Industrial Land Uses

The JLUS Area is generally located south of Gandy Boulevard and east of Manhattan Avenue. The predominant land use within the study area is residential development with strip commercial development along the major corridors of MacDill Avenue and Dale Mabry Highway. The only industrial area within the JLUS area is located on both sides of Dale Mabry Highway,

south of Interbay Boulevard and is designated Light Industrial (LI) on the FLUE. The area west of Dale Mabry falls within the CZ and the area east of Dale Mabry Highway falls within the CZ and the APZ I area. The AICUZ study indicates that only vacant land is considered compatible in the CZ. The initial recommendation was to designate the CZ as Recreation/Open Space on the FLUE map but parks are not permitted by the Land Use Compatibility Guidelines as they are often a place where people gather. The remaining industrial land within APZ I is approximately 25 acres with access onto Dale Mabry Highway. Any redevelopment of these lands should be in keeping with the scale of community serving general commercial uses which exist along this portion of South Dale Mabry Highway.

Community serving general commercial development along north-south Dale Mabry Highway and MacDill Avenue is considered compatible with the adjacent residential development along the east-west local streets within the study area. The creation of zoning districts for the protection of MacDill Air Force Base based on the existing M-AP zoning district for TIA was considered in the JLUS. While the M-AP Comprehensive Plan category speaks to the protection of TIA, it defers the actual types and intensities of uses to the specific zoning district. It would be best for the proposed compatibility plan category to have the same flexibility where the determination of whether a use is compatible or not, lies with the Zoning Administrator and would not require a plan amendment.

4.9.3 Residential Uses

For the most part, the APZ areas are designated Residential-10 (R-10) on the Future Land Use Plan map. Within APZ I, two large tracts of parklands (portion of Gadsden Park and MacDill 48) are designated Residential-6 (R-6) and MacDill Avenue is designated Residential-20 (R-20) and Community Mixed Use-35 (CMU-35). Within APZ II, the area north of Interbay Boulevard and east of Bayshore Boulevard is primarily designated R-20 and MacDill Avenue is designated CMU-35 (Section 4.9.6 describes the commercial uses).

Although some of the areas within the flight paths or APZ's are designated R-20, Residential-35 (R-35), Residential-50 (R-50) and CMU-35 which permit a densities of 20 du/ac, 35 du/ac, 50 du/ac and 35 du/ac respectively, Policy A-3.1B of the FLUE limits densities to 10 du/ac. This discrepancy between the FLUE text and map has been confusing to work with because not everyone is aware of the Policy.

Another shortcoming of the FLUE identified in the City's Evaluation and Appraisal Report of the current Plan policies, the Ballast Point Study (Exhibit 4-13), the Military Readiness Assessment and the City's Land Development Coordination Division studies is that the current FLUE permits a higher density than the average density of the study area. The FLUE's maximum density of 10 du/ac exceeds the 5.56 du/ac density per the Ballast Point study

and the 5.78 du/ac density of the APZ I Area study. Under the current FLUE, there is the potential to assemble several parcels or lots for a townhouse or condominium project by rezoning from a single-family zoning district to a PD at a density of up to 10 du/ac. The cumulative effect for these incremental increases not only results in an overall intensification of the number of people but also leads to an increase in structural mass and building heights, raising the concentration of people. A discussion of these issues led to the question of whether or not housing types closer to the Base should be regulated.

4.9.4 Single-Family Detached Development

A closer look at existing single family detached development is warranted since most of the APZ areas are zoned for and developed with single family detached units. Currently, single-family units may be developed under various zoning districts including RS-60 (6,000 sq. ft. minimum) and RS-50 (5,000 sq. ft. minimum) districts which are the predominant zoning districts within the study area. The net densities of the RS-60 and RS-50 zoning district are 7.3 du/ac and 8.7 du/ac respectively, and the R-10 plan category permits a maximum density of 9 du/ac without a PD site plan. Single-family units are also permitted in all multi-family districts as well as in all office and commercial districts by special use approval.

The FLUE permits consideration of 10 du/ac in the R-10 plan category through a rezoning to PD with a site plan and conditions of approval. A rezoning from RS-60 or RS-50 to PD most likely would involve an increase in net density from 7.3 du/ac or 8.7 du/ac, respectively to 10 du/ac. For example, the difference between a single family house (on a 6,000 square foot lot) and a PD townhouse development on one acre is two units but the difference increases to 14 units on 5 acres. The resulting increase in the number of persons based on a persons per household calculation of 2.31 from the 2000 Census is 28 persons; 4 person in 2 units and 32 persons in 14 units. Therefore, while the net increase on a single parcel may not appear to be significant, the cumulative effect such changes eventually leads to an overall increase in structural mass and building heights resulting in an increase in the concentration of people.

Single-family lot sizes in various locations within each of the APZ areas were calculated as part of the JLUS. The average lot size of the 30 samples taken in APZ I was 7,528 square feet and the average lot size of the 30 samples taken in APZ II was 8,659 square feet. Since most of the 60 samples were either zoned RS-60 or RS-50, it can be assumed that each lot could be developed with a single-family house. The resulting net densities would be 5.9 du/ac in APZ I and 5.1 du/ac in APZ II. The Ballast Point Study calculated an average single-family parcel of 9,852 square feet in size which translates to a net density of 4.4 du/ac.

Having considered net densities in the study area, it should be noted that the FLUE calculates density on a gross residential basis (Page 88 of FLUE).

Gross residential density is the number of houses per acre of land with roads, sidewalks, neighborhood parks and schools. Public facilities are assumed to be sited among the houses but are not explicitly mapped. It is assumed that 30-35% of the area is actually occupied by community facilities uses such as roads and utility rights-of-way. Therefore, the gross density of the study area is expected to be approximately 30% lower although individual net densities for the most part, range from 7.3 du/ac to 8.7 du/ac. Given the existing development and zoning within the study area, a maximum density of 6 du/ac within the APZ areas was subsequently recommended.

4.9.5 Non Single-Family Detached Development

As part of the JLUS, densities of condominiums, townhouses and multi-family in various locations within the APZ areas were calculated. Within APZ II, the average density of condominiums and townhouses was 12.15 du/ac, and the average density for multi-family development was 25.6 du/ac. A 13.5 acre townhouse development within APZ I had a density of 11.15 du/ac and two condominium projects located partially within APZ I and APZ II had densities of 7.2 du/ac and 12.8 du/ac. Although the development pattern is similar in APZ I and APZ II areas, there are more condominium, townhouse and multi-family projects in APZ II, resulting in higher densities in APZ II.

4.9.6 Commercial Uses

Strip commercial development along MacDill Avenue and Dale Mabry Highway make up the majority of commercial development within the study area. Most of MacDill Avenue and Dale Mabry Highway are land use designated CMU-35 and zoned CG. The CMU-35 permits general commercial, professional office, and multi-family development up to a density of 35 du/ac and a floor area ratio (FAR) of 1.5. The existing CG zoning district permits a FAR of 1.0 which allows an equal amount of building square footage as the size of the land or lot. According to the Land Use Plan/Zoning matrix, CG zoning is the highest intensity commercial district permitted in the CMU-35 Plan category. Therefore, heavy commercial and industrial uses are not permitted in CMU-35 currently designated along MacDill Avenue and Dale Mabry Highway.

In considering non-residential or commercial structures within the APZ's, it was noted that the Ballast Point Study determined that the average commercial building intensity of the study area was an average FAR of 0.22. Commercial building intensities ranged from 0.021 to 0.554 FAR and office structure intensities ranged from 0.095 to 0.214 FAR mainly along Bayshore Boulevard and Interbay Boulevard. An FAR of 1.0 which allows an equal amount of building square footage as the size of the lot, is currently allowed in the existing general commercial (CG) zoning district primarily located along MacDill Avenue.

As part of the JLUS, the City of Tampa Land Development Coordination Department evaluated floor area ratios along MacDill Avenue south of

Interbay Boulevard to MacDill Air Force Base. Most of the 23 commercial parcels inspected fell within APZ I. The study found that commercial uses on South MacDill Avenue are developed at an average FAR of 0.1557.

Bearing in mind that aircraft traffic safety has a direct correlation to structural mass and open space adjacent to the MacDill Air Force Base, it was logical to determine a comparable FAR for a single-family house. A single-family house on a 5,000 square foot lot resulted in an FAR of 0.43 based on minimum dimensional requirements including setbacks of the RS-50 district. Given the existing commercial development and the currently allowed FAR's, a maximum FAR of 0.5 was subsequently recommended.

4.9.7 Nonconforming Use Analysis

The JLUS study area is basically developed with very little vacant land remaining. Much of the existing development was built in compliance with the predominant single-family zoning districts of R-1 (5,000 sq. ft. lots) and R-1A (6,000 sq. ft. lots) which were established in the 1950's. The RS-75 and RS-150 zoning districts located along Bayshore Boulevard were introduced after the zoning conformance area rezoning in 1987.

The two main types of nonconformities identified in the study area are nonconforming uses and nonconformities caused by a higher density than is currently permitted. During the analysis of the JLUS data, it became evident that the number of nonconformities resulting from higher densities will be greater than those resulting from uses no longer permitted. All existing structural development within the CZ will become nonconforming since development will no longer be permitted. It also appears that existing multi-family, townhouse and duplex development will become nonconforming uses in APZ 1 as a result of limiting housing types to single family detached uses in this area.

There are a number of existing developments that are currently nonconforming to density within the study area, including any development located within the APZ's which currently exceed a density of 10 du/ac.. Multi-family and duplex development built prior to 1987 under the old zoning districts of R-3 and R-2 respectively, are also likely to be existing nonconformities to density as the old districts permitted higher densities than the current standard districts. A decrease in the maximum permitted density within the study area will also result in additional nonconformities to density.

4.9.8 Tampa Greenways Areas

The City of Tampa Parks Department's Greenways master plan includes South Tampa as one of its six Greenway Areas. The focus greenway in South Tampa will be to connect Picnic Island, the Friendship Bridge Trail and Bayshore Boulevard. The South Tampa area provides possibility for off-road segment connectivity to residential parks and schools located within on-road portions. Connections to parks include North and South Gandy Park, Bobby

Hicks, Ballast Point, MacDill 48, Gadsden, Skyview and Southwest Port Tampa. MacDill Air Force Base trail consisting of two and a half miles along its northern boundary will bridge this area with Bayshore Boulevard. Historic residences in this area include the Stoval and Biglow-Helms homes.

4.9.9 Port Tampa Truck Study

The Port Tampa Truck Study dated May 2005 was prepared by URS for the area south of Gandy Boulevard, west of Dale Mabry Highway, north of MacDill Air Force Base and east of Old Tampa Bay. The purpose of the study was to solicit community input to identify solutions to minimize heavy truck traffic and alleviate their impacts as well as to investigate possible alternative truck routes. The boundaries of this Truck Study overlapped that of the JLUS; namely the area east of Manhattan Avenue to Dale Mabry Highway. More specifically, it includes the northwestern portion of the Clear Zone which is designated Light Industrial on the City's Land Use Plan.

The Truck Study indicates that the relocation of MacDill's Air Force Base's truck entrance from the Dale Mabry Highway main gate to the Manhattan Avenue gate has resulted in trucks queuing up on local residential streets causing a problem in the neighborhood. Truck routes within the study area are Gandy Boulevard, Westshore Boulevard, S. Dale Mabry Highway, Interbay Boulevard and Commerce Street.

Following examination of several alternatives, the Truck Study recommended more speed enforcement patrols along Interbay, examination of safety improvements throughout the Port Tampa City area, evaluation of underground utilities and examination of returning the Manhattan/Interbay intersection to a 4-way stop. Additionally, it suggests that other independent projects such as a new truck gate for MacDill Air Force Base at a further distance from the adjacent residential area will assist in reducing the impact of heavy truck traffic in the Port Tampa City community.

4.9.10 JLUS Advisory Staff Recommendations to the Policy Committee

Based on the above analysis and the noted shortcomings of the current discrepancy between the Future Land Use Plan map and text and more importantly, the ability to increase densities within the current Future Land Use Plan map, the JLUS Advisory Staff and consultants presented several development alternatives to the Policy Committee on April 12, 2006 (see Exhibit 4-14). The Policy Committee opted to proceed with Option B as follows:

Clear Zone:

- density factor = 0 units/acre
- land use change to Recreation-Open Space (R/OS)
- prohibition of all active uses
- set maximum building height = 0' (no structures permitted)

APZ I:

- density factor = 6 units/acre
- land use change from all residential categories to R-6 and all commercial categories to SMU-3 (0.25 FAR and neighborhood commercial uses only)
- strictly limit uses to single-family detached only in residential categories
- set maximum residential building height = 35'
- set maximum commercial building height = 45'

APZ II:

- density factor = 6 units/acre
- land use change from all residential categories to R-6 and all commercial categories to SMU-3 (0.25 FAR and neighborhood commercial uses only)
- allow all single-family varieties in residential categories
- set maximum residential building height = 35'
- set maximum commercial building height = 45'

Table 4-1: Summary of City of Tampa Land Acquisition In and Abutting the Clear Zone

Parcel Description		Size (Acres)	Status
Folio Number	Address		
136966.0000	3850 Marcum Street	3.35	Acquired 1998
137644.0000	Marcum Street and Himes Avenue	2.31	Acquired 2005
137645.0000			
137646.0000			
137647.0055			
137651.0000			
137652.0000			
137653.0000			
137654.0000			
135956.1000	Himes Avenue and North Boundary Boulevard	29.76	Acquired 1995
TOTAL		35.42	

Table 4-2: Residential Use Categories in the APZ I

EXISTING USE	PARCEL COUNT (#)	PARCEL AREA (ACRES)	DENSITY (UNITS/ACRE)
Single-Family	1178	228.24	5.16*
Duplex	11	2.23	9.87**
Multi-Family	160	29.44	27.17***

*Assumed 1 unit per parcel

**Assumed 2 units per parcel

***Category required a minimum of 5 units on parcel to be identified. This calculation assumed only 5 units per parcel.

Table 4-3: Non-Residential Use Categories in the APZ I

EXISTING USE	PARCEL COUNT (#)	PARCEL AREA (ACRES)
Vacant land	59	36.97
Office-general	8	7.11
School	2	4.87
Auto sales-repair	2	0.97
Retail-general	4	0.92
Park-recreational facility	10	128.48
Warehouse-industrial-mini-storage	4	4.01
Utility	1	0.21

Table 4-4: Accident Potential Zone I - Existing Use Calculations
 (Based on Technical Working Group Field Surveys)

Use Category	Parcel Count	Acreage	Density
Auto sales-repair	2	0.97	
Duplex	11	2.23	9.87*
Multi-family	160	29.44	27.17**
Office-general	8	7.11	
Park-recreational facility	10	128.48	
Retail-general	4	0.92	
School	2	4.87	
Single-family	1178	228.24	5.16***
Utility	1	0.21	
Vacant land	59	36.97	
Warehouse-industrial-mini-storage	4	4.01	
<i>Total:</i>	<i>1439</i>	<i>443.45</i>	

* Assumed 2 units per parcel.

** Category required a minimum of 5 units on parcel to be identified. This calculation assumed only 5 units per parcel.

*** Assumed 1 unit per parcel.

Table 4-5: Accident Potential Zone II - Existing Use Calculations

(Based on Technical Working Group Field Surveys)

Use Category	Parcel Count	Acreage	Density
Church-religious	4	5.04	
Duplex	7	3.04	4.61*
Multi-family	158	50.76	15.56**
Office-general	4	1.36	
Park-recreational facility	4	10.16	
Retail-general	10	4.55	
School	2	6.60	
Single-family	961	224.88	4.27***
Triplex	7	1.78	11.80****
Utility	1	0.03	
Vacant land	36	12.18	
<i>Total:</i>	<i>1194</i>	<i>320.38</i>	

* Assumed 2 units per parcel.

** Category required a minimum of 5 units on parcel to be identified. This calculation assumed only 5 units per parcel.

*** Assumed 1 unit per parcel.

**** Assumed 3 units per parcel.

Table 4-6: Incompatible Land Use

Land Use Category	Acreage Within APZ's			Acreage Outside APZ's	Total
	Clear Zone	APZ I	APZ II	65-70 Noise Contour	
Residential	3	296	-	85	385
Commercial	6	14	-	-	20
Industrial	9	-	-	-	9
Public/Quasi-Public	33	17	29	-	79
Recreation/Open Space	0	-	-	-	0
	51	327	29	85	492

Table 4-7: 1997 Existing Land Use and Zoning

Use Type	Percentage of Current Land Use Category		Percentage of Current Zoning Category	
	Within DNL 65dB Noise Contour	Within Clear Zone, APZ I and APZ II	Within DNL 65dB Noise Contour	Within Clear Zone, APZ I and APZ II
Residential	66	70	68	81
Commercial	4	3	1	1
Industrial	5	2	31	18
Public/Quasi-Public	9	14	0	0
Recreation/Open Space	16	11	0	0
Total Acres	499	796	690	1032

Source: The Planning Commission, May 1997

Table 4-8: Census 2000 Population Density

Census Tract	Total Population	Square Miles Land	Square Miles Water	Density Persons/Sq. Mi.
68.01	4,321	0.8	0	5,401
68.02	2,963	0.7	2.0	4,233
69	4,999	1.2	2.5	4,166
70	6,142	1.4	0	4,387

Source: US Census Bureau 2000

Table 4-9: Census 2000 Owner Occupied Households

Census Tract	Total Housing Units	Occupied Housing Units	% of Owner Occupied Units	% of Renter Occupied Units
68.01	2,045	1,971	52	48
68.02	1,528	1,444	63	37
69	2,231	2,107	63	37
70	2,683	2,502	55	45

Source: US Census Bureau, 2000 Census, Summary File 1 for Florida, July 25, 2001. Hillsborough County City-County Planning Commission.

Table 4-10: Census 2000 Persons per Household

Census Tract	Total Population	Total Housing Units	Total Households	Persons per Household
68.01	4,321	2,045	1,897	2.27
68.02	2,963	1,528	1,530	1.94
69	4,999	2,231	2,121	2.36
70	6,142	2,683	2,512	2.45

Source: US Census Bureau, Summary File 3 for Florida, Tables P52 and P53, September 18, 2002. Hillsborough County City-County Planning Commission.

Table 4-11: Census 2000 Persons per Household (PPH) by Housing Type

Census Tract	Single Family	Duplex	Multi-Family	Mobile Home
68.01	2.31	1.97	1.82	2.13
68.02	2.31	2.97	1.53	2.13
69	2.65	1.72	1.77	1.72
70	2.61	2.94	2.22	2.08

Source: US Census Bureau, Summary File 3 for Florida, Tables H30, H31 and H33, September 18, 2002. Hillsborough County City-County Planning Commission.

EXHIBIT 4-1

AERIAL PHOTOGRAPH OF STUDY AREA

EXHIBIT 4-2

MACDILL AIR FORCE BASE FLIGHT PATTERN

EXHIBIT 4-3

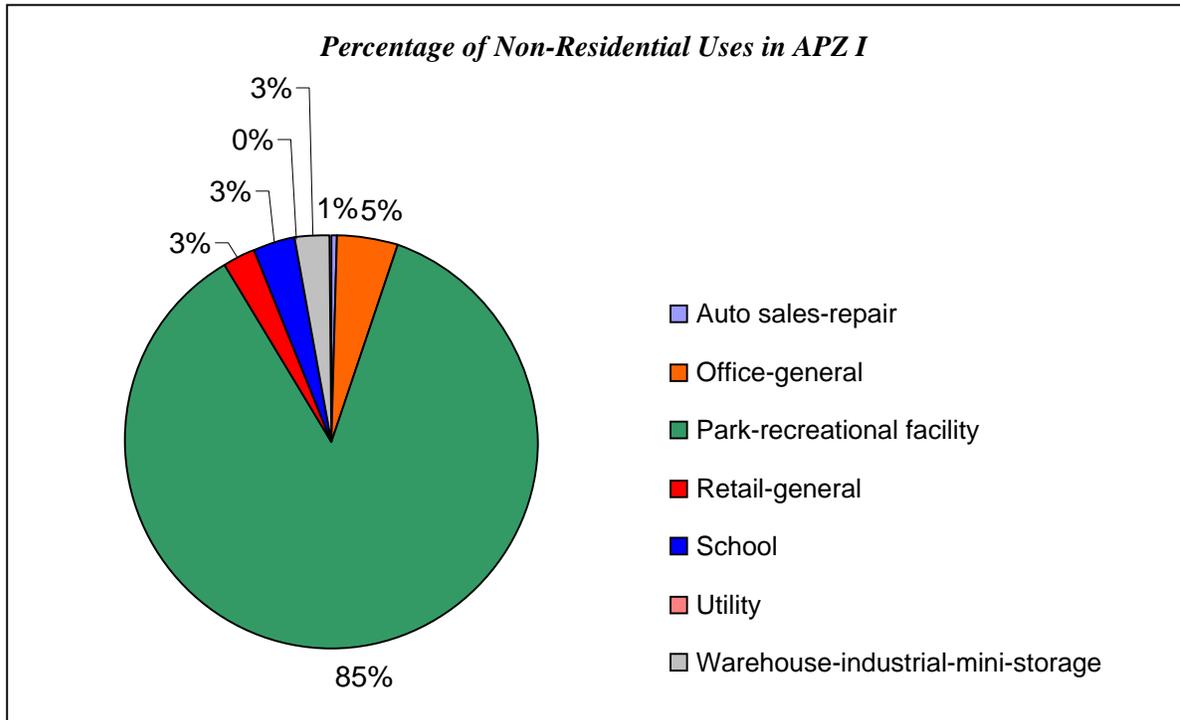
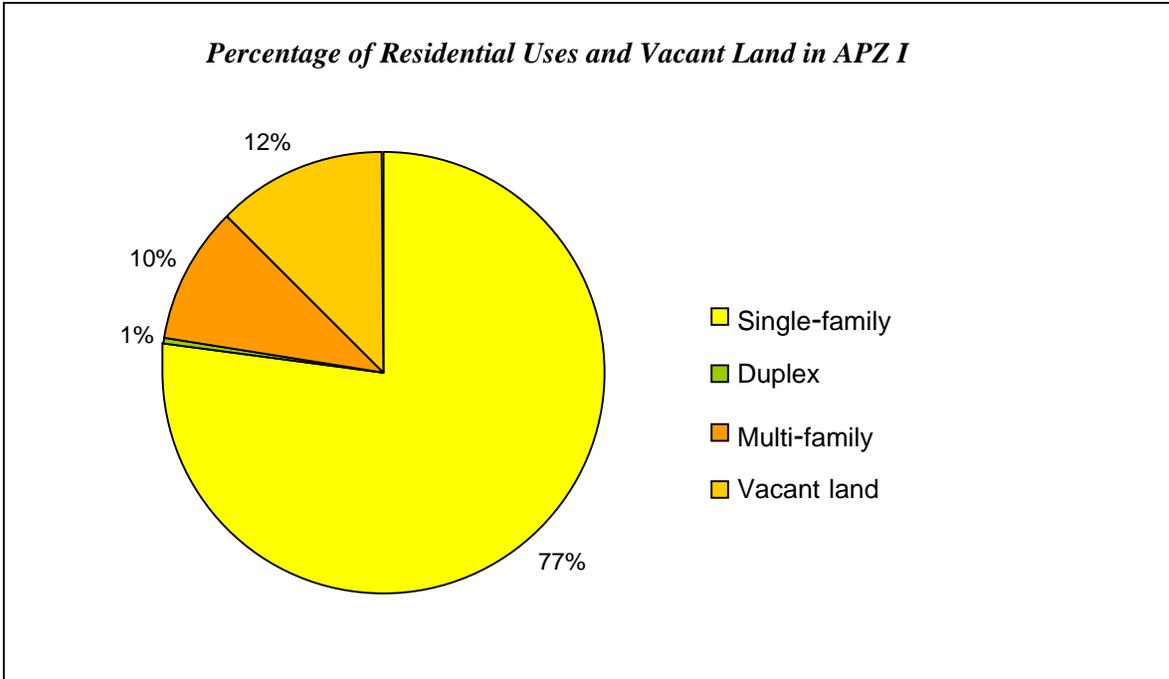
MACDILL AIR FORCE BASE MASTER PLAN

EXHIBIT 4-4

PUBLIC LANDS IN AND ABUTTING CLEAR ZONE

EXHIBIT 4-5

PERCENTAGE OF USES IN APZ I



**EXHIBIT 4-6
PERCENTAGE OF USES IN APZ II**

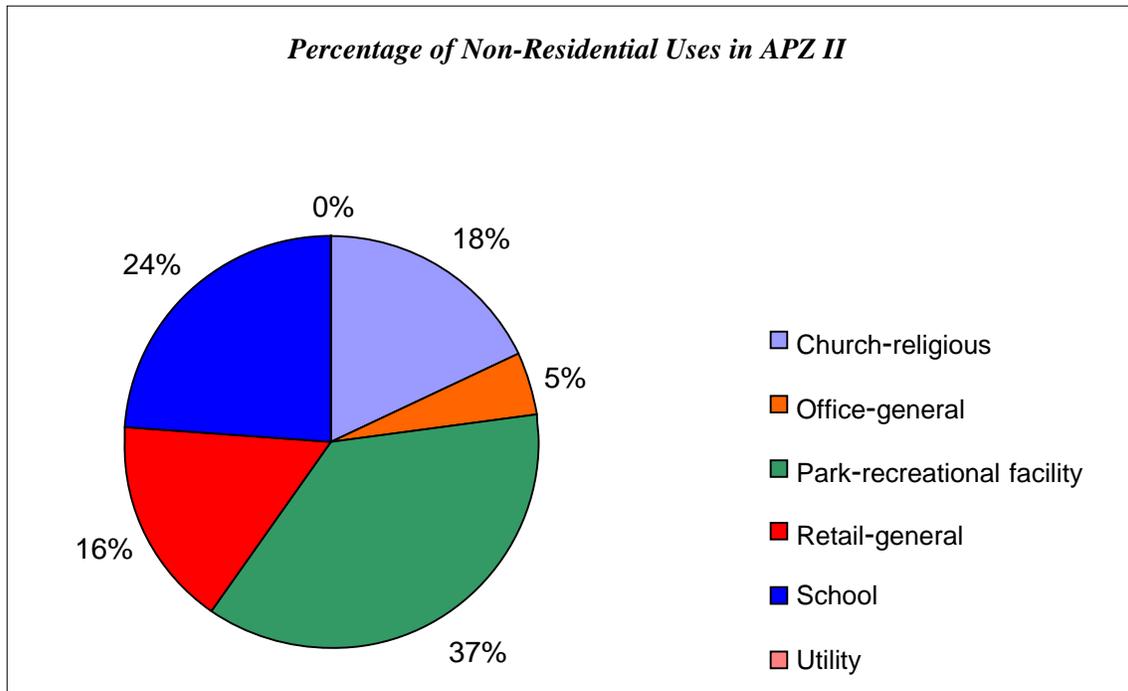
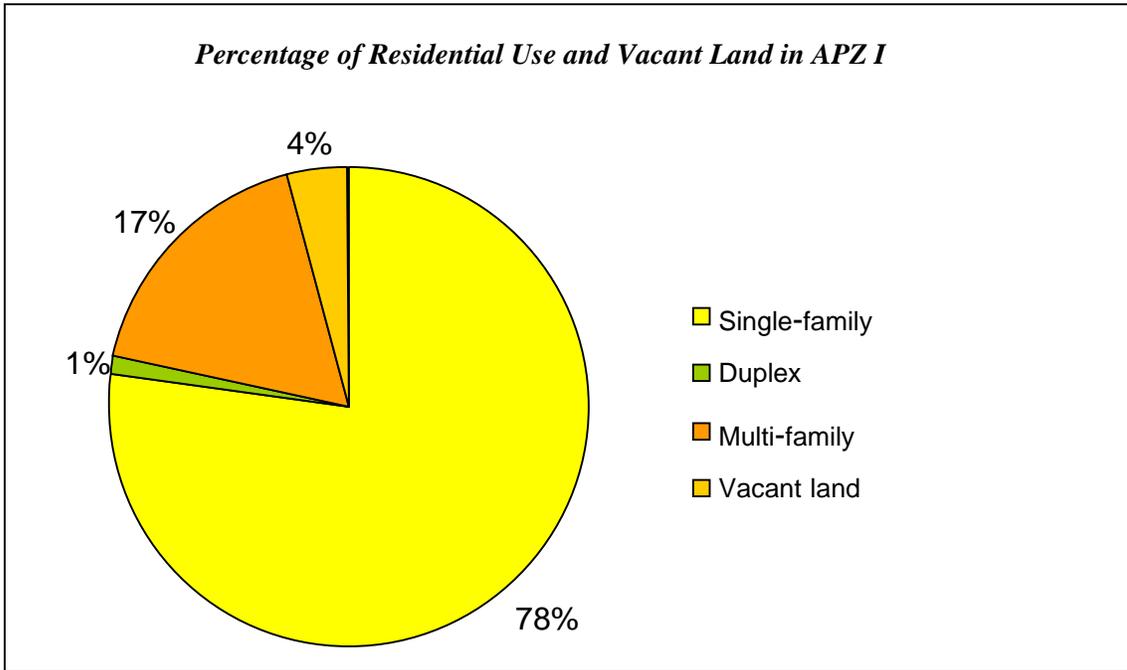


EXHIBIT 4-7
NOISE CONTOURS

EXHIBIT 4-8

**CITY OF TAMPA
COMPREHENSIVE LAND USE PLAN MAP FOR STUDY AREA**

EXHIBIT 4-9
EXISTING ZONING DISTRICTS

EXHIBIT 4-10

CENSUS TRACT FOR JLUS AREA

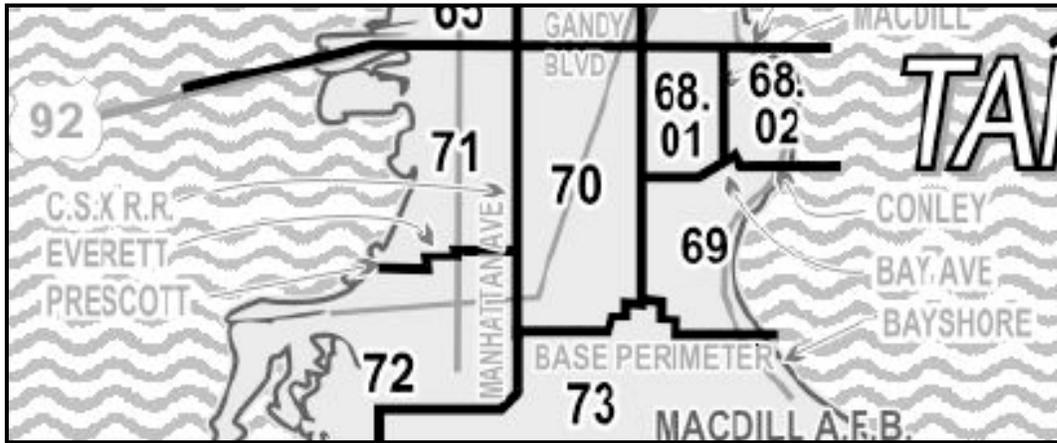


EXHIBIT 4-11

ABATEMENT ORDINANCES

ORDINANCE NO. 2005 215

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AN ORDINANCE IMPOSING AN ABATEMENT UPON THE ACCEPTANCE AND/OR PROCESSING OF APPLICATIONS FOR REZONINGS, SPECIAL USE PERMITS AND AMENDMENTS TO THE TAMPA COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS FOR REAL PROPERTY OR PORTION(S) THEREOF LOCATED WITHIN THE CLEAR ZONE AND ACCIDENT POTENTIAL ZONE I IN THE VICINITY OF MACDILL AIR FORCE BASE, FOR A PERIOD OF TWELVE (12) MONTHS PENDING THE COMPLETION OF A JOINT LAND USE STUDY REGARDING DEVELOPMENT WITHIN THE MACDILL AIR FORCE BASE CLEAR ZONE AND ACCIDENT POTENTIAL ZONE I; PROHIBITING THE PROCESSING OF SUCH REQUESTS WITHIN THOSE ZONES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, MacDill Air Force Base ("MacDill") is an active United States Air Force military base located within the southern portion of the City of Tampa ("City") and comprises approximately 5,767 acres; and

WHEREAS, MacDill, which houses United States Central Command and the 6th Air Mobility Wing, is paramount to both local and national security as well as an important component of the City's and the greater Tampa Bay's economy; and

WHEREAS, MacDill houses a variety of aircraft, including refueling aircraft and airlift and airbase support aircraft and has active aircraft traffic entering and exiting the base which aircraft regularly cross over non-military real property adjacent to MacDill; and

WHEREAS, MacDill is also the location of the National Oceanic and Atmospheric Administration's Aircraft Operation Center, which has fourteen (14) research and reconnaissance aircraft which are utilized for a variety of purposes, including hurricane reconnaissance; and

WHEREAS, MacDill is located in an area of the City which has seen a substantial increase in development activity since 1999, including residential, office and commercial development; and

WHEREAS, it is anticipated and expected that this increase in development activity in the areas adjacent to MacDill will continue, and could increase further; and

WHEREAS, the City has determined that it is in the best interest of the citizens of the City to protect the general public health, safety, and welfare by protecting the persons and property surrounding MacDill from potential accidents

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and loss of life and encroachment which impacts the quality of life for the surrounding community; and

WHEREAS, it has been determined by both the City and MacDill that the need to manage development encroachments from the community surrounding MacDill is critical to the viability of the operations of MacDill as well as to the quality of life in the local community; and

WHEREAS, in order to ensure that this protection occurs, the City, as part of its Comprehensive Plan and Chapter 27 of City Code, has designated certain adjacent areas north of MacDill as a "Clear Zone" and "Accident Potential Zones" ("APZ") indicating areas adjacent to MacDill which are at risk for sustaining damage and loss of life in the case of an aircraft accident, a map of which is attached hereto as Exhibit "A"; and

WHEREAS, the City is engaging in a Joint Land Use Study ("JLUS") with MacDill, the goals of which include: to protect the health, safety and welfare of the surrounding communities and the civilian and military community at MacDill; to create avenues for better communication and coordination between the City and MacDill; to make recommendations for regulatory and non-regulatory policies/measures regarding compatible land uses around MacDill; and to determine actual level of risk associated with living and/or working in an area proximate to MacDill; and

WHEREAS, it is anticipated that the JLUS will take approximately twelve (12) months to complete; and

WHEREAS, in order to preserve the status quo and to prevent the approval of development applications which may be in conflict with the findings of the JLUS during the period of time that the City and MacDill are undertaking the JLUS study and the City is preparing any necessary regulatory or non-regulatory measures to implement the findings of the JLUS, the City has determined that the above stated interests will be advanced by the imposition of an abatement upon the accepting and/or processing applications for rezonings, special use permits and amendments to the Tampa Comprehensive Plan, including amendments to the Future Land Use Map, for real property or portion thereof within the Clear Zone and APZ I zone; and

WHEREAS, the above-stated abatement, however, will not apply to the issuance of building permits and/or similar permits and approvals so long as such building permits and/or similar permits and approvals are consistent with the Tampa Comprehensive Plan and zoning regulations in effect as of the date hereof, and require neither any amendment thereto nor any special use permit; and

WHEREAS, the City has the authority pursuant to Article VIII, Florida Constitution, and Chapter 166, Florida Statutes, to adopt amendments to its land development code, including Chapter 27 as it relates to rezoning applications and special use permit applications, and pursuant to Chapter 163 as it relates to comprehensive plan amendments; and

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WHEREAS, the City has conducted duly noticed public hearings as required by law, at which hearings all parties in interest and citizens were afforded notice and the opportunity to be heard.

NOW, THEREFORE,

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

Section 1. That the City hereby adopts an abatement solely upon the processing of comprehensive plan amendments, rezoning applications and special use permit applications for real property or portion(s) thereof located within the MacDill Air Force Base Clear Zone and APZ I Zone as depicted in Exhibit A attached hereto and made a part hereof by this reference commencing upon the date of adoption of this Ordinance, and remaining in effect for twelve (12) months thereafter, which is the estimated time to complete the Joint Land Use Study ("JLUS") and to enact or adopt necessary regulatory or non-regulatory measures in order to implement the findings of the JLUS.

Section 2. That the proper officers and employees of the City, are hereby authorized to do all things necessary and proper to carry out the provisions of this Ordinance.

Section 3. That if any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any conflict.

Section 5. That this Ordinance shall take effect immediately upon becoming a law.

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PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY
OF TAMPA, FLORIDA, ON AUG 04 2005.



CHAIRMAN\CHAIRMAN PRO-TEM
CITY COUNCIL

ATTEST:



CITY CLERK\DEPUTY CITY CLERK

APPROVED BY ME ON AUG 05 2005



PAM IORIO, MAYOR

PREPARED BY AND APPROVED
AS TO LEGAL SUFFICIENCY:

E/S

DAVID L. SMITH
CITY ATTORNEY

H:\MCM\ordinance re macdill air force base (MCM's revisions 06-06-06) Clean Version

ORDINANCE NO. 2006-_____

AN ORDINANCE AMENDING ORDINANCE NO. 2005-215 WHICH PLACED AN ABATEMENT UPON THE ACCEPTANCE AND/OR PROCESSING OF APPLICATIONS FOR REZONINGS, SPECIAL USE PERMITS AND AMENDMENTS TO THE TAMPA COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS, FOR REAL PROPERTY OR PORTION(S) THEREOF LOCATED WITHIN THE CLEAR ZONE AND ACCIDENT POTENTIAL ZONE I IN THE VICINITY OF MACDILL AIR FORCE BASE; EXTENDING THE APPLICATION OF ORDINANCE NO. 2005-215 FOR AN ADDITIONAL SIX (6) MONTHS, THROUGH FEBRUARY 5, 2007, TO ALLOW SUFFICIENT TIME TO FINALIZE THE FINDINGS OF THE JOINT LAND USE STUDY AND ENACTMENT OR ADOPTION OF NECESSARY REGULATORY AND NON-REGULATORY MEASURES; PROHIBITING THE PROCESSING OF SUCH REQUESTS WITHIN THOSE ZONES; CREATING AN EXEMPTION FOR CITY-INITIATED MEASURES DIRECTLY RELATED TO THE IMPLEMENTATION OF THE FINDINGS OF THE JOINT LAND USE STUDY; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, MacDill Air Force Base (“MacDill”) is an active United States Air Force military base located within the southern portion of the City of Tampa (“City”) and comprises approximately 5,767 acres; and

WHEREAS, MacDill, which houses United States Central Command and the 6th Air Mobility Wing, is paramount to both local and national security as well as an important component of the City’s and the greater Tampa Bay’s economy; and

WHEREAS, MacDill houses a variety of aircraft, including refueling aircraft and airlift and airbase support aircraft and has active aircraft traffic entering and exiting the base which aircraft regularly cross over non-military real property adjacent to MacDill; and

WHEREAS, MacDill is also the location of the National Oceanic and Atmospheric Administration’s Aircraft Operation Center, which has fourteen (14) research and reconnaissance aircraft which are utilized for a variety of purposes, including hurricane reconnaissance; and

WHEREAS, MacDill is located in an area of the City which has seen a substantial increase in development activity since 1999, including residential, office and commercial development; and

WHEREAS, it is anticipated and expected that this increase in development activity in the areas adjacent to MacDill will continue, and could increase further; and

WHEREAS, the City has determined that it is in the best interest of the citizens of the City to protect the general public health, safety, and welfare by protecting the persons and property surrounding MacDill from potential accidents and loss of life and encroachment which impacts the quality of life for the surrounding community; and

WHEREAS, it has been determined by both the City and MacDill that the need to manage development encroachments from the community surrounding MacDill is critical to the viability of the operations of MacDill as well as to the quality of life in the local community; and

WHEREAS, in order to ensure that this protection occurs, the City, as part of its Comprehensive Plan and Chapter 27 of City Code, has designated certain adjacent areas north of MacDill as a “Clear Zone” and “Accident Potential Zones” (“APZ”) indicating areas adjacent to MacDill which are at risk for sustaining damage and loss of life in the case of an aircraft accident, a map of which is attached hereto as Exhibit “A”; and

WHEREAS, the City is engaging in a Joint Land Use Study (“JLUS”) with MacDill, the goals of which include: to protect the health, safety and welfare of the surrounding communities and the civilian and military community at MacDill; to create avenues for better communication and coordination between the City and MacDill; to make recommendations for regulatory and non-regulatory policies/measures regarding compatible land uses around MacDill; and to determine actual level of risk associated with living and/or working in an area proximate to MacDill; and

WHEREAS, it was anticipated that the JLUS would take approximately twelve (12) months to complete; and

WHEREAS, in order to preserve the status quo and to prevent the approval of development applications which may be in conflict with the findings of the JLUS during the period of time that the City and MacDill are undertaking the JLUS study, the City Council of the City of Tampa adopted Ordinance No. 2005-215, which placed an abatement upon the acceptance and/or processing of applications for rezonings, special use permits and amendments to the Tampa Comprehensive Plan, including amendments to the Future Land Use Map, for real property or portion thereof within the Clear Zone and APZ I zone; and

WHEREAS, the above-stated abatement, does not apply to the issuance of building permits and/or similar permits and approvals so long as such building permits and/or similar permits and approvals are consistent with

the Tampa Comprehensive Plan and zoning regulations in effect as of August 5, 2005, and require neither any amendment thereto nor any special use permit; and

WHEREAS, the abatement adopted pursuant to Ordinance No. 2005-215 became effective on August 5, 2005, and remains in effect for twelve (12) months thereafter which was the estimated time to complete the JLUS and to enact or adopt necessary regulatory and non-regulatory measures in order to implement the findings of the JLUS; and

WHEREAS, it is anticipated that an additional six (6) months is required in order to finalize the findings and recommendations from the JLUS, to present same to the City Council of the City of Tampa, and to enact or adopt necessary regulatory or non-regulatory measures in order to implement the findings of the JLUS; and

WHEREAS, it is necessary to create an exemption for city-initiated measures directly related to the implementation of the findings of the JLUS; and

WHEREAS, the City has the authority pursuant to Article VIII, Florida Constitution, and Chapter 166, Florida Statutes, to adopt amendments to its land development code, including Chapter 27 as it relates to rezoning applications and special use permit applications, and pursuant to Chapter 163 as it relates to comprehensive plan amendments; and

WHEREAS, the City has conducted duly noticed public hearings as required by law, at which hearings all parties in interest and citizens were afforded notice and the opportunity to be heard.

NOW, THEREFORE,

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

Section 1. That the City hereby extends the application of Ordinance No. 2005-215 which placed an abatement upon the acceptance and/or processing of rezoning applications, special use permit applications and amendments to the Tampa Comprehensive Plan, including Future Land Use Map Amendments, for real property or portion(s) thereof located within the MacDill Air Force Base Clear Zone and APZ I Zone as depicted in Exhibit A attached hereto and made a part hereof by this reference, which is the estimated time to finalize the Joint Land Use Study (“JLUS”) and to enact or adopt necessary regulatory or non-regulatory measures in order to implement the findings of the JLUS.

Section 2. That an exemption to the application of Ordinance No. 2005-215 is hereby created for city-initiated measures directly related to the implementation of the findings of the JLUS.

Section 3. That the proper officers and employees of the City are hereby authorized to do all things necessary and proper to carry out the provisions of this Ordinance.

Section 4. That if any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 5. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any conflict.

Section 6. That this Ordinance shall take effect August 5, 2005 and shall remain in effect for six (6) months through February 5, 2007.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON _____.

CHAIRMAN\CHAIRMAN PRO-TEM
CITY COUNCIL

ATTEST:

CITY CLERK\DEPUTY CITY CLERK

APPROVED BY ME ON _____

PAM IORIO, MAYOR

PREPARED BY AND APPROVED
AS TO LEGAL SUFFICIENCY:

E/S
DAVID L. SMITH
CITY ATTORNEY

H:\CEO\abatment ordinance (extension) 5-5-06

EXHIBIT 4-12
EXISTING LAND USES

EXHIBIT 4-13

SUMMARY OF BALLAST POINT AREA STUDY

Background

In July of 2001, the City of Tampa Planning and Management Department conducted an Index Profile for the Ballast Point Study Area whose boundaries are West Gandy Boulevard to the north, MacDill AFB on the south, Hillsborough Bay to the east, and South MacDill Avenue on the west. This area is comprised of 612.45 acres, roughly 1 percent of the City of Tampa's land area. The Ballast Point Study area includes most of Accident Potential Zone II area and a portion of the Accident Potential Zone I area.

Population

The population of the Ballast Point study area is estimated at 4,775 persons. For the most part, the population is evenly distributed throughout the neighborhood at a very low intensity (less than 5 persons per parcel). There are a few parcels where the population exceeds 55 people. These areas coincide with multi-family developments and condominium projects. The parcel with the greatest population (598 persons) is the site of The Pavillions apartment complex located along MacDill Avenue approximately 0.17 miles south of the MacDill-Interbay Boulevard intersection. The northeast portion of the Pavillions apartment complex is located in APZ II and the southwest portion is located in APZ I.

Employment

The total employment found in the Ballast Point study area is 661 employees. Most of the businesses employ less than 5 employees, but there are some locations in the northeast portion of the study area where employment exceeds 30 people per parcel. Employment distribution is generally lineal along MacDill Avenue and Bayshore Boulevard. With the exception of the persons working at the Elementary School, the employment centers are generally located along the major arterial roads. The significant employment centers are located north of Interbay Boulevard. In fact, nearly 84% of the study area's employment is found north of Interbay Boulevard. The area's largest employment center is the Tampa Yacht Club with a recorded employment of 95 persons. Tampa Yacht is located within APZ II.

The Ballast Point study area has a very low estimated employment density of 7.91 employees per net acre, with a total of 661 employees and 119 businesses found within the neighborhood. For comparison purposes, the SunTrust Building in downtown Tampa has approximately 1,005 employees located on one acre of land. Higher densities are found along the northern boundary of the study area, along the northeastern section of Interbay and Bayshore Boulevards, and to a lesser extent, along West Gandy Boulevard and South MacDill Avenue. The distribution of businesses and employment can best be described as lineal in nature, with strip-type clusters along Bayshore, West Gandy Boulevard and South MacDill Avenue.

Infrastructure

Streets: There are 20.91 miles of street centerlines for every square mile within the Ballast Point study area. The street network in the Ballast Point study area is generally composed of a grid network. The primary north and south corridors are MacDill Avenue and Bayshore Boulevard. Interbay Boulevard and Gandy Boulevard represent the primary east-west arterial roads.

Transit: There are 40 transit stops in the Ballast Point study area. This equates to transit service coverage of approximately 41.79 transit stops per square mile. The transit stops are distributed along South MacDill Avenue, West Bay Haven Drive, and the southern tip of Bayshore

Boulevard. Most parcels are located within ½ mile of the transit route. The greatest distance to a transit stop is just under one mile.

Parks: There are a total of 3.60 acres of parkland (including schoolyards) per 1,000 residents in the Ballast Point study area. Ballast Point Park (at 7.15 acres) is located on Interbay Boulevard, north of the Tampa Yacht and Country Club and falls within APZ II. This is the only dedicated park within the neighborhood. The study area also has a few schools that have open areas that are used as playgrounds. An example is Ballast Point Elementary, which is located on the north-central sector of Ballast Point, on the corner of South Quincy Street and West Ballast Point Boulevard, which also lies within APZ II.

Existing Land Uses

The Ballast Point study area is a predominantly single-family development. Nearly 85.4% of the parcels in the Ballast Point study area are dedicated to residential purposes. Approximately 82.9 percent of the parcels (and more than half of the gross land area) in the Ballast Point study area is devoted to single-family dwelling units. The remaining land uses include commercial development, recreational uses and public assembly. Commercial land uses frame the residential uses and are located along four major corridors: Bayshore, Interbay, West Gandy and MacDill Avenue. Overall, areas north of Interbay Boulevard demonstrate slightly higher land use diversity than do parcels south of Interbay Boulevard. The diversity in residential and non-residential uses is visible along South MacDill Avenue, West Gandy Boulevard, Bayshore Boulevard and Interbay Boulevard.

Density/FAR

The average net residential density in the Ballast Point study area is 5.56 dwelling units per acre. The average single-family density is 4.42 dwelling units per acre. Single-family units are distributed fairly evenly throughout the area. There are several pockets of higher density single-family residential development along local streets, such as on the northeastern portion of the neighborhood as well as across from the mixed-use shopping center-center at the intersection of Bayshore and Interbay Boulevards. Some parcels have densities greater than 25 DU's per acre due to their small size. Conversely, the larger parcels abutting the Bay show lesser density values.

The Ballast Point study area has an average of 16.45 multi-family dwelling units per net acre. There are only a few pockets of multi-family dwelling units (38.3 acres). In fact, only 2.3%

of all parcels are used for multi-family uses. Overall, the multi-family density distribution is found away from the Bay and generally along MacDill Avenue and Bayshore Boulevard. Most of the multi-family residential parcels fall below the 16.45 DU/acre area-wide average.

The non-residential building intensity of the Ballast Point study area is 0.22 F.A.R. Commercial building densities range from 0.021 to 0.554 F.A.R., which are characteristic of low-intensity commercial areas. Most commercial structures are clustered along South MacDill Avenue, with a few scattered between West Gandy Boulevard and east of Pilgrims Pathway. Office structure intensities, which range from 0.095 to 0.214 FAR, are found along Bayshore and Interbay Boulevards.

Parcel Size

The Ballast Point study area has an average parcel size of 12,981 square feet. This equates to approximately 0.3 acres. Most parcels in the area are less than this average size. Larger parcels are found alongside a few corridors such as Interbay Boulevard, Lykes Lane, South MacDill Avenue and Bayshore Boulevard.

Single-family parcels in the Ballast Point study area average 9,852 square feet in size. The pattern of the single-family parcels in the study area shows a high degree of diversity in the range of single-family parcel sizes. There are several parcels that fall below 6,942 square feet. At the same time, the largest single-family parcels approach 143,748 square feet. These are mainly situated along the coastline. There are certain clusters where the parcel sizes appear to be consistent, but along the Interbay Boulevard corridor, the sizes of the single-family parcels vary widely.

Source: Ballast Point Study Area INDEX Profile prepared by City of Tampa Planning & Management Department, July 2001

EXHIBIT 4-14

DEVELOPMENT ALTERNATIVES RECOMMENDED TO THE POLICY COMMITTEE 4/12/06

Suggestions from March 2006 Policy Committee meeting and subsequent JLUS staff review of current future land use policies:

1. Identify MacDill Air Force Base as a separate regional attractor in the FLU Element.
 - Separate Tampa International and MAFB into two (2) sections
 - Tampa International remains Objective A-3 with associated policies A-3.1 through A-3.7
 - MAFB becomes Objective A-3a with associated policies A-3a.1 through A-3a.?
2. Set land use densities in tiered format based on Clear Zone, APZ's, and noise contours. Options included below based on review of actual land uses documented in field, current zoning districts, current land use designations, and recent development trends.

Option A (Most restrictive)

Clear Zone:

- density factor = 0 units/acre
- land use change to Recreation-Open Space (R/OS)
- prohibition of all active uses
- set maximum building height = 0' (no structures permitted)

APZ I:

- density factor = 3 units/acre
- land use change from all residential categories to R-3 and all commercial categories to SMU-3 (0.25 FAR and neighborhood commercial uses only)
- strictly limit uses to single-family detached only in residential categories
- set maximum residential building height = 35'
- set maximum commercial building height = 45'

APZ II:

- density factor = 6 units/acre
- land use change from all residential categories to R-6 and all commercial categories to SMU-3 (0.25 FAR and neighborhood commercial uses only)
- allow all single-family varieties in residential categories (detached, semi-detached, attached)
- set maximum residential building height = 35'
- set maximum commercial building height = 45'

Option B

Clear Zone:

- density factor = 0 units/acre
- land use change to Recreation-Open Space (R/OS)
- prohibition of all active uses
- set maximum building height = 0' (no structures permitted)

APZ I:

- density factor = 6 units/acre
- land use change from all residential categories to R-6 and all commercial categories to SMU-3 (0.25 FAR and neighborhood commercial uses only)
- strictly limit uses to single-family detached only in residential categories
- set maximum residential building height = 35'
- set maximum commercial building height = 45'

APZ II:

- density factor = 6 units/acre
- land use change from all residential categories to R-6 and all commercial categories to SMU-3 (0.25 FAR and neighborhood commercial uses only)
- allow all single-family varieties in residential categories
- set maximum residential building height = 35'
- set maximum commercial building height = 45'

Option C

Clear Zone:

- density factor = 0 units/acre
- land use change to Recreation-Open Space (R/OS)
- prohibition of all active uses
- set maximum building height = 0' (no structures permitted)

APZ I:

- density factor = 6 units/acre
- land use change from all residential categories to R-6 and all commercial categories to SMU-6 (0.25 FAR and neighborhood commercial uses only)
- strictly limit uses to single-family detached only in residential categories
- set maximum residential building height = 35'
- set maximum commercial building height = 45'

APZ II:

- density factor = 10 units/acre
- land use change from all residential categories to R-10 and all commercial categories to SMU-6 (0.25 FAR and neighborhood commercial uses only)
- allow all single-family varieties in residential categories

- set maximum residential building height = 35'
- set maximum commercial building height = 45'

Option D (Status Quo Densities for APZ's)

Clear Zone:

- density factor = 0 units/acre
- land use change to Recreation-Open Space (R/OS)
- prohibition of all active uses
- set maximum building height = 0' (no structures permitted)

APZ I:

- density factor = 10 units/acre
- current land use categories remain

APZ II:

- density factor = 10 units/acre
- current land use categories remain

3. Set strict prohibitions of certain uses within Clear Zone and APZ I.
4. Add specific policy addressing non-conforming and legal non-conforming uses, what can be rebuilt, and general method to 'grandfather' use.
5. Strengthen policies regarding building regulations and noise attenuation materials.
6. Add specific policy requiring notice to City and MAFB for property transactions.
7. Require disclosure in title documents at closing/sales transactions.
8. Establish a signage program for the study area acknowledging location of MAFB, Clear Zone, and APZ's.
9. Develop web-based GIS system for property owners to identify locations of APZ's.
10. Enhance Comp Plan policies to include requirements of Florida Senate Bill 1604, requiring notice of plan amendments to MAFB. Example: Escambia County/Santa Rosa County requires notice to Base for installations of communication towers and structures over a certain height.

Potential Long Term Strategies:

1. Develop a Land acquisition program (long-term strategy).

Alternative to current zoning districts and changes to SMU-3 and -6:

1. Create a specific land use category MI-AP (Military Installation Airport) Compatibility plan category, modeled after the M-AP (Municipal Airport) category. Define uses permitted, heights, prohibitions, and general description of purpose and intent.
 - The M-AP plan category is used in and around Tampa International Airport. Policies are also included in the Plan that further describe development potential around these regional attractors (see pages 4 & 5).

2. Create new zoning categories MIAP-1 through MIAP-4, modeled after the MAP zoning districts in the current Tampa Zoning Code.
 - There are 4 zoning categories for the M-AP area, MAP-1, MAP-2, MAP-3, and MAP-4. These districts follow a specific use table, lot coverages, setbacks, and height limitations (see pages 6 and 7).