

Mayor Jane Castor

**Transforming Tampa's
Tomorrow**



**CODE
REFRESH**
LAND DEVELOPMENT CODE

PHASE 1A

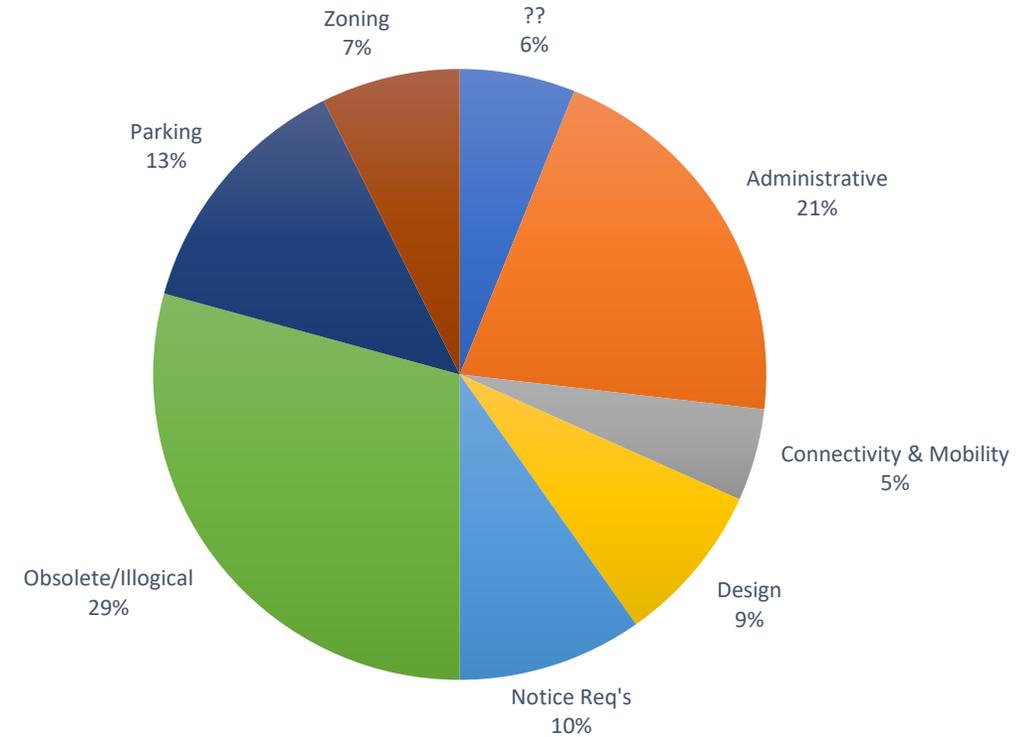
Background

- The Transforming Tampa's Tomorrow advisory teams convened in summer-fall of 2019 to identify **key recommendations** for Development Services, Transportation, Housing Affordability, and Workforce Development.
- Among the dozens of recommendations formulated by each advisory team, there were numerous recommendations concerning changes to the City's Land Development Code (LDC) to **align policies with strategic priorities**.
- An internal City team **conducted a comprehensive assessment** of the recommendations, each one on its own merits as well as in connection with other provisions and the strategic priorities.
- Because of the complexity involved in amending the LDC, the team proposed addressing the **recommendations in phases**.

Comprehensive Assessment

| Subject Area & Code Section | Number of Requests |
|---|--------------------|
| ?? | 6 |
| Sec. 27-238(e)(3)b | 1 |
| Sec. 27-240 (g) | 1 |
| Sec. 27-241(e)(1)d.1 | 1 |
| Sec. 27-243(d)(3)b | 1 |
| (blank) | 2 |
| Administrative | 25 |
| ??? | 2 |
| Sec 27-128 | 2 |
| Sec 27-292 through Sec 27-304 | 1 |
| Sec. 27-132 | 1 |
| Sec. 27-136 - 27-138 | 1 |
| Sec. 27-138 | 1 |
| Sec. 27-282.12 | 2 |
| Sec. 27-283.11. - Vehicle parking. | 2 |
| Sec. 27-43 | 1 |
| Sec. 27-79 | 2 |
| Sec. 27-80 | 2 |
| Section 27-153.2.25 (a) (3) | 3 |
| Section 27-227(e) | 2 |
| (blank) | 3 |
| Connectivity & Mobility | 7 |
| Sec 27-241 | 2 |
| Sec. 22-103 | 2 |
| Sec. 22-314 | 1 |
| (blank) | 2 |
| Design | 9 |
| Sec 27-282.10 | 1 |
| Sec. 27-236 | 1 |
| Sec. 27-284 | 4 |
| Sec. 27-289 Article VI / Division 6 | 1 |
| Sec. 27-290 | 1 |
| Sec. 27-290.1 | 1 |
| Notice Req's | 16 |
| 27-148 Procedure for Amendment application | 2 |
| Sec. 27-149 for Land Development decisions and text amendments to LDC | 2 |
| Sec. 27-262 Scheduling of city council public hearings | 2 |
| Sec. 27-284.1.2 Trees-Protected, grand, and exempt trees; measurement methods. | 2 |
| Sec. 27-60 | 6 |
| Sec. 27-60 Alternative Design Exception. | 2 |
| Obsolete/Illogical | 30 |
| Sec. 27-241 West Tampa Overlay District Development Design Standards. | 1 |
| Sec. 27-290 | 1 |
| ??? | 3 |
| Sec 27-132 | 2 |
| Sec 27-156 & 27-290 | 2 |
| Sec 27-283.8 | 1 |
| Sec. 27-106 Signs and other encroachments in Ybor City Historic District. | 1 |
| Sec. 27-127(b)(3)(b)(6) | 1 |
| Sec. 27-132 | 1 |
| Sec. 27-132 | 3 |
| Sec. 27-132 SU1 – annual visits for extended family and accessory dwelling | 2 |
| Sec. 27-159 Permitted projections into required yards. | 1 |
| Sec. 27-204 Development site and building design standards in Channel District. | 1 |
| Sec. 27-211 | 2 |
| Sec. 27-211.14 Public Realm in Seminole Heights District. | 1 |
| Sec. 27-240 East Tampa Overlay District Design Standards. | 1 |
| Sec. 27-243 Kennedy Boulevard Corridor District Development Design Standards. | 1 |

Subject Area Percent of Grand Total



PHASE 1A

Focused on administrative clean-ups that can be done outside of a prescribed amendment cycle. Changes addressed in this phase include:

- correcting errors and conflicts between sections/chapters
- unifying procedural matters such as public notice provisions
- Target to initiate in fall 2020

PHASE 1B

Focused on critical land use matters such as 'changes of use' and parking requirements; also re-organizing the alcohol beverage section and the historic preservation section to simplify access to related code sections that were previously de-centralized and difficult to tie together.

- Targeted to initiate in early 2021

PHASE 2

- Focused on strategic priorities for T3-related substantive zoning and design code amendments, e.g. affordable housing, transportation, mobility, and complex land use
- Targeted for fall 2021

PHASE 3

Focused on most complex code provisions, including comprehensive Parking code changes noted in the master list and Connectivity & Mobility related code changes.

Phase 1A Proposed Text Amendments

1. Minor changes to numerous sections to make consistent all references to **public notice requirements**.
2. Minor changes to numerous sections to make consistent all **references to days** (“calendar” rather than “working”).
3. Minor changes to numerous sections to **remove specific references** to “Planning and Development Department or PDD”
4. Minor changes to numerous sections to **remove outdated references to Chapter 13** (which no longer exists).
5. Change to Section 27-61 to remove the requirement that an applicant for a review hearing **submit a DVD** of the prior hearing.
6. Change to Section 27-78 to **modify the vote required** for Variance Review Board (VRB) approval of a variance request from 4 votes to simple majority.
7. Change to Section 27-127(b)(3)b.6.ii to remove the requirement that an SU-2 AB applicant **submit topo and tree surveys** in cases where the applicant is not proposing any expansions or other changes to an existing site for which the AB approval is being sought.
8. Change to Section 27-138(7) to update the notice requirement for the ‘substantial change’ approval section to require that the notice inform the recipient of their **right to appeal the decision** once a non-substantial determination/approval is issued.
9. Changes to Section 27-149 to a) remove the requirement that a Planned Development applicant send a copy of the **site plan to participating neighborhood associations**, and b) adding language to allow an affidavit of compliance be **submitted electronically**.
10. Adding a new Section 27-153 to **incorporate the timeframes** for review and approval of development permits and development orders mandated by 2019 legislation §166.033, Fla.Stat.
11. Change to Section 27-153.2.25 to update outdated terminology used to refer to the **stormwater advisory list**, and changes to Section 27-283.1 and 27-283.11 to **update terminology** referring to the “board of adjustment” and align with the current references to the Variance Review Board, the Architectural Review Committee, and the BLC.
12. Change to 27-283.11 to clarify restrictions governing **parking of RVs and boats** in residential yards.
13. Correct Table 27-284.3.3 titled ‘LANDSCAPED AREAS, PLANTINGS, BUFFERS AND SCREENING’ to require a 15-foot rather than a **10-15’ foot buffer** between Group C uses and residential uses.

#1

Minor changes to numerous sections to make consistent all references to public notice requirements.

- Eliminates confusion of different types of applications having different notice requirements
 - E.g., current code requires mail notice but no posted sign(s) for some applications, and sign(s) but no mail notice for others.



- Uniform requirements help applicants and general public
 - Unifies the same level of notice for all applications
 - Simplifies for applicants to avoid mis-notice delays due to confusion about which requirements apply.

#2

Minor changes to numerous sections to make consistent all references to days ('calendar' rather than 'working').

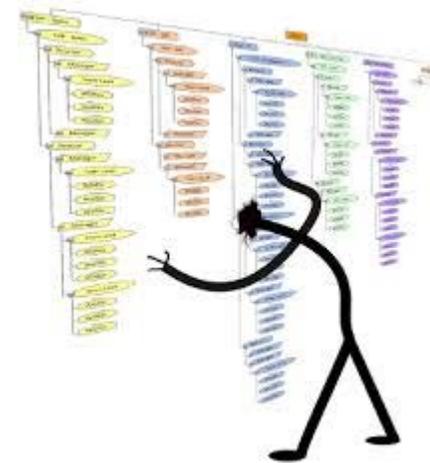
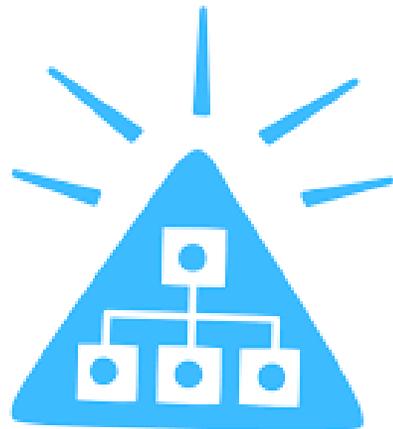


- The code now refers to working days in some places, calendar days in others, and 'city working' days in others!
- Consistency avoids confusion and creates certainty for all stakeholders.

#3

Minor changes to numerous sections to remove specific references to 'Planning and Development Department' or 'PDD.'

- This ensures flexibility to adapt to organizational changes over time without having the LDC become outdated.



#4

Minor changes to numerous sections to remove specific outdated references to Chapter 13.



- Chapter 13 (the former Tree and Landscaping Code) no longer exists; it was incorporated into Chapter 27 several years ago.

#5

Change to Section 27-61 to remove the requirement that an applicant for a review hearing must submit a DVD of the prior hearing.

- This is simply an obsolete requirement adding unnecessary time and expense for the applicant.



- All parties can easily access transcripts and recordings of prior hearings online.
- This change was previously requested by City Council

#6

Change to Section 27-78 to modify the vote required for Variance Review Board (VRB) approval of a variance request from 4 votes to simple majority.

- This avoids problems created when less than a full board is present at any given hearing.
- Unifies and makes the VRB process consistent with all other boards



City of Tampa
Jane Castor, Mayor

Variance Review Board
City Council Chambers - City Hall

315 East Kennedy Boulevard
Third Floor
Tampa, Florida 33607

LOCATION FOR HEARING HAS BEEN CHANGED TO:
TAMPA CONVENTION CENTER, 333 SOUTH FRANKLIN STREET, TAMPA, FLORIDA, 33602
(MEETING ROOMS 14-17, FIRST FLOOR, CHANNEL ENTRANCE ONLY).

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26,
FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE
IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT LEAST
FORTY-EIGHT (48) HOURS PRIOR TO THE DATE OF THE MEETING.

October 13, 2020 - 6:30 PM
Agenda
(as of 09/04/2020)

- I. CALL TO ORDER
- II. SILENT ROLL CALL
- III. APPROVAL OF MINUTES for the September 08, 2020 Public Hearing
- IV. EX-PARTE COMMUNICATIONS & CONFLICTS OF INTEREST
 - Legal Staff
- V. ANNOUNCEMENTS AND NEW BUSINESS:
 - Agenda
- VI. SWEAR-IN

#7

Change to Section 27-127(b)(3)b.6.ii to remove the requirement that an SU-2 AB applicant submit topo and tree surveys in cases where the applicant is not proposing any expansions or other changes to an existing site for which the AB approval is being sought.

- This eliminates time delay and unnecessary costs when such surveys are not relevant to the review of the application.



#8

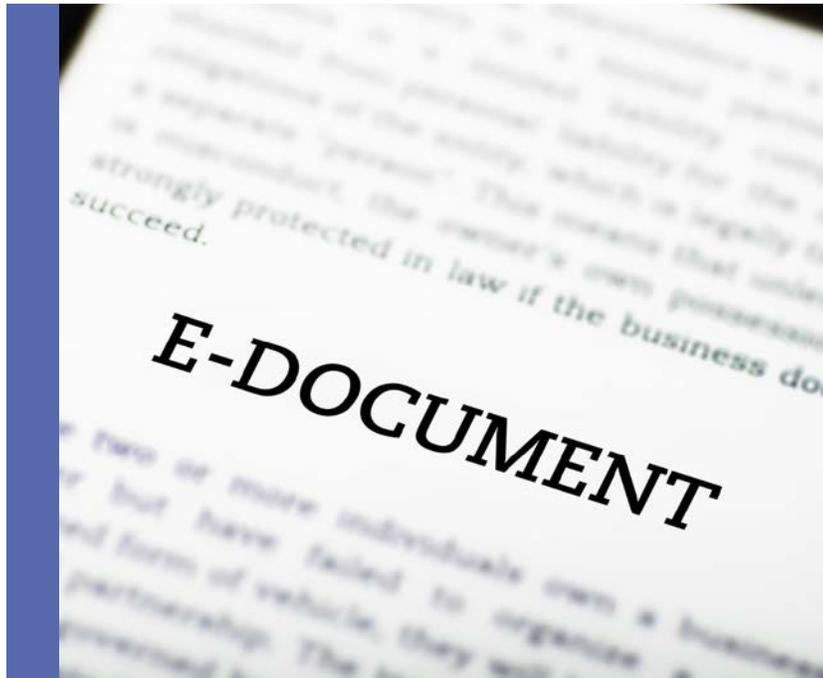
Change to Section 27-138(7) to update the notice requirement for the ‘substantial change’ approval section to require that the notice inform the recipient of their right to appeal the decision once a non-substantial determination/approval is issued.



- This makes the purpose of the notice clear – that is, that the notified parties have a right to appeal a determination allowing a non-substantial change to a Planned Development.

#9

Changes to Section 27-149 to: a) remove the requirement that a Planned Development applicant send a copy of the site plan to participating neighborhood associations, b) add language to allow an affidavit of compliance to be submitted electronically.



- These changes reduce paper, avoid unnecessary printing costs, and modernize the method by which one may submit an affidavit package.
- The ordinance also deletes language that created confusion about the number of photos of the posted notice sign(s) that are required to be submitted.

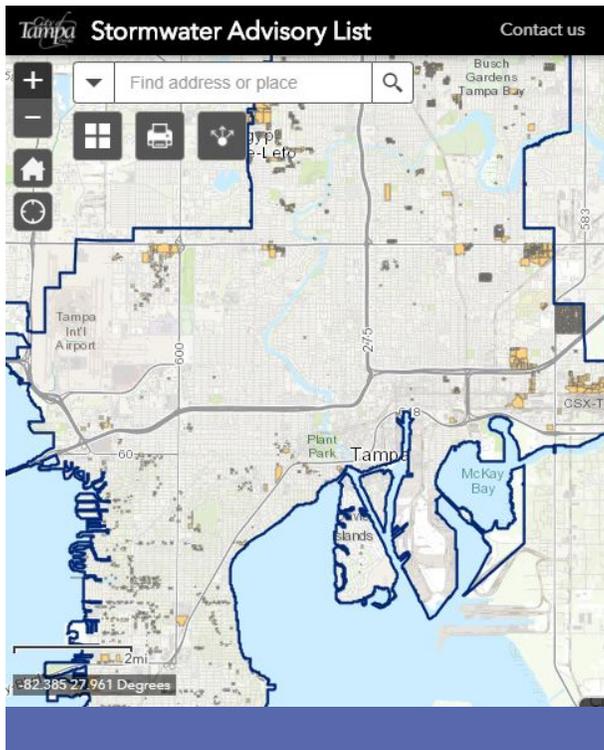
#10

Adding a new Section 27-153 to incorporate the timeframes for review and approval of development permits and development orders mandated by 2019 legislation §166.033, Fla. Stat.

- In 2019, the Florida legislature adopted a bill to create uniform statewide timeframes for local government approval of development orders or permits. This code amendment incorporates those timeframes into the LDC. The City is required to:
 - Review the application for completeness within 30 days. An applicant will have an additional 30 days to address deficiencies in the application identified by the City.
 - Within 120 days thereafter, approve, approve with conditions, or deny the application.
 - For applications requiring final action through a quasi-judicial or public hearing, the City would have 180 days to approve, approve with conditions, or deny the application. The parties may agree to extend these time frames.

#11

1. Change to Section 27-153.2.25 to update outdated terminology used to refer to the stormwater advisory list; and
2. Changes to Section 27-283.1 and 27-283.11 to update terminology referring to the 'board of adjustment' and align with the current references to the Variance Review Board, the Architectural Review Committee, and the BLC.



- These changes remove outdated language and update the code to reflect the proper references.

#12

Changes to Section 27-283.11 to clarify restrictions governing parking of RVs and boats in residential districts.



- The language in this section was unclear about where within a residential yard an RV or boat may be parked. The code section also created confusion by switching between the terms ‘recreational vehicle’ and ‘vehicle’ when it was intended to apply only to recreational vehicles.

#13

Correct Table 27-284.3.3 titled ‘LANDSCAPED AREAS, PLANTINGS, BUFFERS AND SCREENING’ to require a 15-foot rather than a 10-foot buffer between Group C uses and residential uses.

- This corrects a scrivener’s error that has persisted from a prior code change

Next Steps

- 9/15 – 10/10 - City staff will circulate draft and receive input from City Council members, neighborhood associations, and development community
- 10/12/2020- Planning Commission Board Briefing- not a substantive discussion, simply an update to advise the Board that code amendments will be presented to them in November
- 10/22/2020- City Council Workshop on proposed ordinance
- 11/9/2020- Planning Commission Board Hearing on ordinance
- 11/19/2020-Target date for first City Council adoption hearing on ordinance

Thank you! Questions?