

WELCOME

PUBLIC INFORMATION MEETING

HOSTED BY DEVELOPMENT & GROWTH MANAGEMENT

June 7, 2021, at 6:00 pm



Introductions

Development Coordination

Abbye Feeley Director Development & Growth Management, Abbye.Feeley@tampagov.net

Eric Cotton Development Coordination Manager, Eric.Cotton@tampagov.net

LaChone Dock Planning & Development Coordinator, Lachone.Dock@tampagov.net

Lisa Escobar Planning Permit Technician I, Lisa.Escobar@tampagov.net

Legal Department

Cate Wells Chief Assistant City Attorney, Cate.Wells@tampagov.net

Susan Johnson-Velez Senior Assistant City Attorney II, Susan.Johnson-velez@tampagov.net

Simone Savino Assistant City Attorney II, Simone.Savino@tampagov.net

Attention

- If you are not speaking during the meeting, please mute yourself.
- Meeting format – staff will present topic and information then we will allow questions after each presentation.
- Questions will be allowed at the end.
- If you would like to speak during the meeting, please raise your hand, turn on your camera, or type a message in the box.
- This presentation will be posted online.



MEETING AGENDA

- Review amplified sound and alcoholic beverage sales enforcement code language. (15 minutes)
- Review City Council workshop discussion on Text Amendment Cycles. (15 minutes)
- Review code language for Lot Split. (15 minutes)
- Present proposed code language for privately initiated text amendment – Applicant Steve Michelini / John Lum. (15 minutes)
- Q & A

A blurred image of a city skyline at night, with various building silhouettes and lights against a dark blue sky.


AMPLIFIED OUTDOOR SOUND | HOURS OF OPERATION | DISTANCE SEPARATION

Presented at City Council Workshop on April 22, 2021

Agenda Item No. 2, **File No . E2019-8 CH 14**

Objective

To provide the City of Tampa's citizens, commercial establishments and enforcement personnel with a ***predictable and understandable*** approach to noise enforcement.



Background

There are two areas of the City Code of Ordinances that address “sound/noise”

Outdoor Amplified Sound

Referenced in Section 27-132, “Special Use for Alcoholic Beverage Sales”

Not currently defined in Chapter 27, Land Development Code

Noise

Addressed in Chapter 14, Article III, Noise

Two standards of measurement: plainly audible and decibel level

Both standards employed in the City (geographic areas)

Current standards

Based on the geographic location of the property:

Ybor City Historic District, Channel District or Arena District – maximum sound levels:

85 dBA or 87 dBC between 6:00 p.m. and 3:00 a.m.

65 dBA or 75 dBC between 3:00 a.m. and 6:00 p.m.

Section 14-153

All other areas: Between 10:00 p.m. and 7:00 a.m. sound is considered unreasonably loud and raucous if it is plainly audible a minimum of 100 feet from the property line of the source of the sound at or within any receiving property.

Section 14-154

AMPLIFIED SOUND

Noise Related Definitions Currently in Chapter 14

DBA means an A-weighted unit of sound level.

dbc means a C-weighted unit of sound level.

Decibel means a unit of measurement of sound pressure equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micro pascals (20 micro newtons per square meter).

L_{eq} (equivalent sound pressure level) means the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying sound.


Loudspeaker means a device that converts an electrical audio signal into a corresponding sound.

Plainly audible means any sound that can be clearly heard by a person using his or her normal hearing faculties. The person need not determine the particular words or phrases being produced or the name of any song or artist producing the sound. The detection of a rhythmic bass reverberating type sound is sufficient to constitute a plainly audible sound. Any person who hears a sound that is plainly audible shall measure the sound according to the following standards:

- (1) The primary means of detection shall be by means of the person's ordinary auditory senses, so long as the person's hearing is not enhanced by any device, such as a microphone or hearing aid; and
- (2) The person shall first identify the location producing the sound so that the person can readily identify the sound is from the offending location.

Sound level means a sound pressure level obtained using a signal to which standard weighting has been applied.

Recommendations

1. Create a citywide amplified sound standard applicable to all uses
 2. Modify/amend existing Chapter 14 definitions to refine, clarify and update where needed
 3. Address Channel District
 4. Update enforcement provisions
 5. Monitor and assess future considerations
- 

Recommendation #1: Citywide Standard

1. Create citywide standard that prohibits outdoor amplified sound after 12:00 a.m.
 - Applicable Citywide
 - Propose effective date which allows time for notice and education
2. Adopt a scaled approach to noise reduction

Specific Districts (Ybor City Historic District and Arena District)

- Decibel standard
- Gradual reduction in maximum decibel level:

85 dBA between the hours of 6:00 p.m. and 1:00 a.m.

75 dBA between the hours of 1:00 a.m. and 3:00 a.m.

65 dBA between the hours of 3:00 a.m. and 6:00 p.m.

All Other Areas of the City

- Plainly audible standard

Recommendation #2: Definitions

NEW DEFINITIONS

- ***Amplified sound*** means any sound, including the human voice and music, that is augmented, amplified, projected, transmitted by or emanating from any sound amplification device.
- ***Sound amplification device*** means any system, apparatus, equipment, device, instrument, or machine designed or used for the purpose of amplifying sound or increasing its volume, and shall include, but is not limited to, radios, stereos, CD players, DVD players, microphones, drums, turn tables, audio or visual equipment, electronic devices, musical instrument, sound equipment, television set, interior or exterior speaker, loudspeaker, bullhorn or other similar device.
- ***Sound level meter*** means any instrument including a microphone, amplifier, output meter, and frequency weighting networks for the measurement of noise and sound levels in a specific manner and which complies with standards established by the American National Standards Institute (ANSI) specifications for sound level meters.

Recommendation #2: Definitions

MODIFIED DEFINITIONS

- ***dBA*** means ~~an A-weighted~~ the abbreviation designating the unit of sound level as measured by a sound level meter using the A-weighting, also known as "dBA."
- ***dBC*** means ~~a C-weighted~~ the abbreviation designating the unit of sound level as measured by a sound level meter using the C-weighting, also known as "dBC."
- ***Sound level*** means the weighted a sound pressure level obtained using a signal to which standard weighting has been applied by the use of a sound level meter and frequency weighting network, such as A, B, or C as specified in American National Standards Institute (ANSI) specifications for sound level meters. If the frequency weighting employed is not indicated, the A-weighting shall apply.

Recommendation #3: Address Channel District

1. Remove **Channel District** from Section 14-153
 - Recognizes its residential/mixed use character.
 - Shifts enforcement measure from “decibel standard” to "plainly audible" standard
2. Resulting approach to **enforcement based on geographic area**:
 - Ybor City Historic District and Arena District (Section 14-153 decibel standard)
 - All other areas of the City (Section 14-154 plainly audible)

Recommendation #4: Enforcement

Sec. 14-159 Enforcement currently provides:

Any person(s) responsible for a violation of section 14-153 or section 14-154 shall be given notice of an unreasonably excessive noise violation and warned that a civil citation will be issued if the person(s) responsible fails to bring the sound level into compliance within five (5) minutes and fails to remain in compliance for forty-eight (48) hours.

- Current 5-minute warning inhibits enforcement
- Staff Recommends: Eliminate 5-minute warning.
- Intended result: If an establishment is in violation of the standards as set forth a violation may be issued without requiring a “warning.”

NEXT STEPS

- Prepare an Ordinance incorporating recommended changes
- Conduct public information sessions
- Identify a feasible effective date
- Monitor implementation of changes, including complaints and citations
- Determine whether further refinements are needed
 - Standards for Urban Village/Mixed-Use Corridors
 - Modification to special use criteria – distance separation and hours of operation
- City Council Workshop on August 27, 2021

Questions

A blurred image of a city skyline at dusk or dawn, with various building silhouettes against a blue and orange sky.

Text Amendments & Administrative Lot Splits

Presented at City Council Workshop on May 27, 2021

Agenda Item Number – 10 and 11 File Number – E2021-8 CH27

Workshop Goals

Text Amendments

1. Present a potential alternative for the processing of text amendments on a quarterly basis which would create a more efficient and predictable process.
2. Introduce a set of standards for privately initiated text amendments to promote inclusion of public information sessions, language clarification, and process efficiency.

Administrative Lot Split

1. Present staff recommendations for administrative lot creation.
2. Discuss criteria and associated process.

A blurred image of a city skyline at dusk or dawn, with various building silhouettes against a blue and orange sky.

Land Development Code Text Amendments

BACKGROUND

- Current Process

- Applications processed twice a year (January and July)
- Each cycle duration is approximately 5-6 months long
- Each cycle may contain both publicly-initiated (staff and council) and privately-initiated changes
- Note that privately-initiated changes is a common practice in many jurisdictions
- Staff serves as the “code writer” and coordinates and conducts public outreach (no formalized process)
- One staff member is responsible for processing text amendments and is responsible for other duties
- No formal application, parameters for processing, or limitations to scope of request

COMPARISON OF JURISDICTIONS

	CITY OF TAMPA	MADEIRA BEACH	HILLSBOROUGH COUNTY	CITY OF ST. PETERSBURG	CITY OF ORLANDO
ALLOW PRIVATELY-INITIATED TEXT AMENDMENTS	YES	YES	YES	YES	NO (Only process Mayor & Planning Commission Directed)
FEE	\$666.50	\$2,000.00	\$1,495.00	\$2,000.00	Not Applicable
PRE-SUBMITTAL MEETING REQUIRED?	YES	YES	YES	YES	Not Applicable
APPLICANT REQUIRED TO CONDUCT PUBLIC OUTREACH	NO	YES	NO	YES	Not Applicable
ADDITIONAL FEES ASSESSED TO THE APPLICANT	NO	YES	NO	YES	Not Applicable

Recommendations

1. *Distinguish and separate privately-initiated from staff/council initiated and introduce new schedule.*
2. *For Privately-initiated:*
 - a. *Revise Fee Schedule*
 - b. *Clarify application requirements*
 - c. *Require Public Information Meeting*
 - d. *Require Planning Commission Presentation*

Recommendations

1. Split public and private cycles into twice a year each.

PROPOSED TEXT AMENDMENT CYCLES	
PRIVATELY INITIATED	PUBLICLY INITIATED & CLEAN-UP
January 15 & July 15	April 15 & October 15

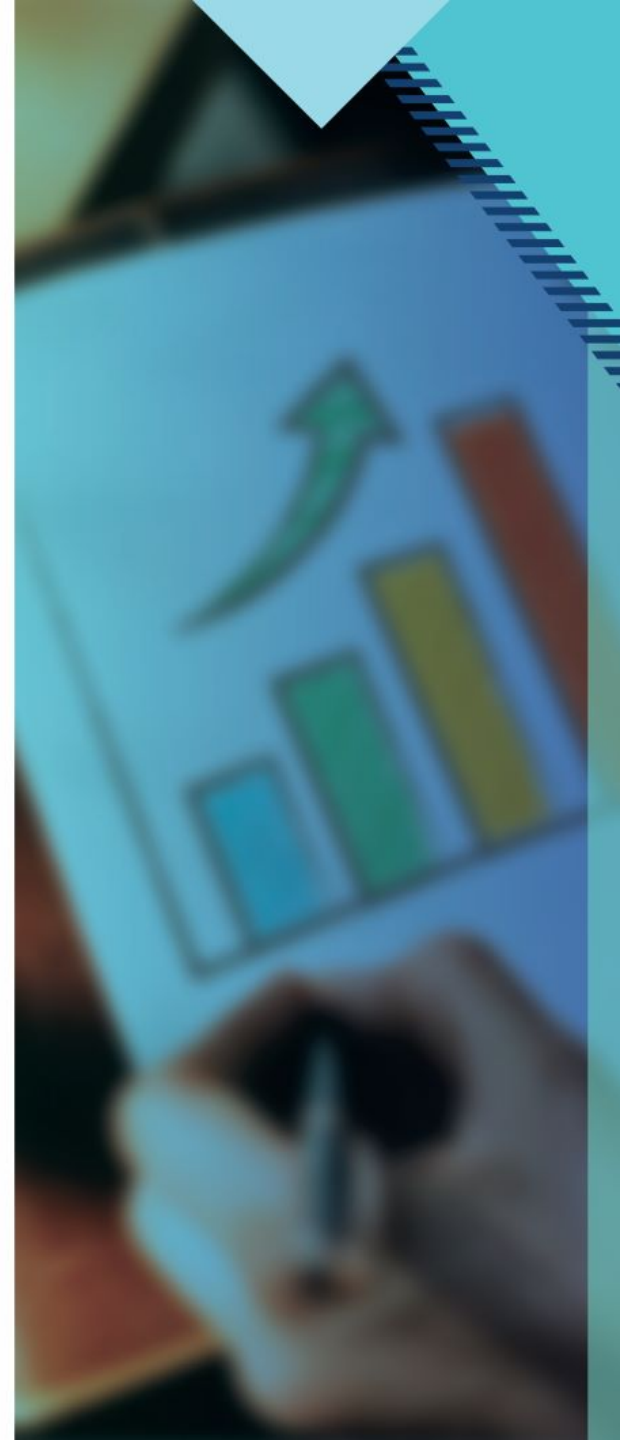
IMPACT

- Provides a dedicated and distinct process for each stakeholder group
- Enables focused discussion during the associated public hearings of each cycle.

For example, the Mayor directs a code amendment on June 7th, it would be processed in the upcoming October cycle. If City Council directs a modification in January, it would be processed in the April cycle.

Proposed Processing Schedule

	QTR 1	QTR 2	QTR 3	QTR 4
	Private Amendments Cycle 1	Public Amendments Cycle 1	Private Amendments Cycle 2	Public Amendments Cycle 2
January	Submission Pre-application December			
February	Review/Staff Comments			
March	Required Community Meeting (applicant)*			
April	City Council Workshop	Submission		
May	Planning Commission Briefing	Review/Staff Comments		
June	Planning Commission Hearing	Community Meeting (City)		
July	City Council 1 st Reading	City Council Workshop	Submission Pre-application June	
August	City Council 2 nd Reading	Planning Commission Briefing	Review/Staff Comments	
September	Adoption/Implementation	Planning Commission Hearing	Required Community Meeting (applicant)*	
October		City Council 1 st Reading	City Council Workshop	Submission
November		City Council 2 nd Reading	Planning Commission Briefing	Review/Staff Comments
December		Adoption/Implementation	Planning Commission Hearing	Community Meeting (City)
January			City Council 1 st Reading	City Council Workshop
February			City Council 2 nd Reading	Planning Commission Briefing
March			Adoption/Implementation	Planning Commission Hearing
April				City Council 1 st Reading
May				City Council 2 nd Reading



Recommendations

2. For Privately Initiated Text Amendments:

a. *Update Fee Schedule*

Currently, there is only one fee for a private request, whether it contains one change, twenty (20) changes, or a complete re-write of an entire code section.

Recommendation: Tiered fee schedule based upon scope of request.

b. *Clarify application requirements, including:*

- Proposed Text
- Written Justification / Executive Summary
- All impacted code sections

c. *Require Public Information Outreach by Applicant*

Require applicant to conduct public information outreach and provide notice and meeting minutes prior to City Council Workshop

d. *Require Planning Commission Presentation*

Require applicant to present to Planning Commission

Q & A

Discussion – Text Amendment Cycles

A blurred image of a city skyline at dusk or dawn, with various building silhouettes against a blue and orange gradient sky.

Administrative Lot Creation

Background

Council motion (September 2019)

File No. E2019-8 CH 27

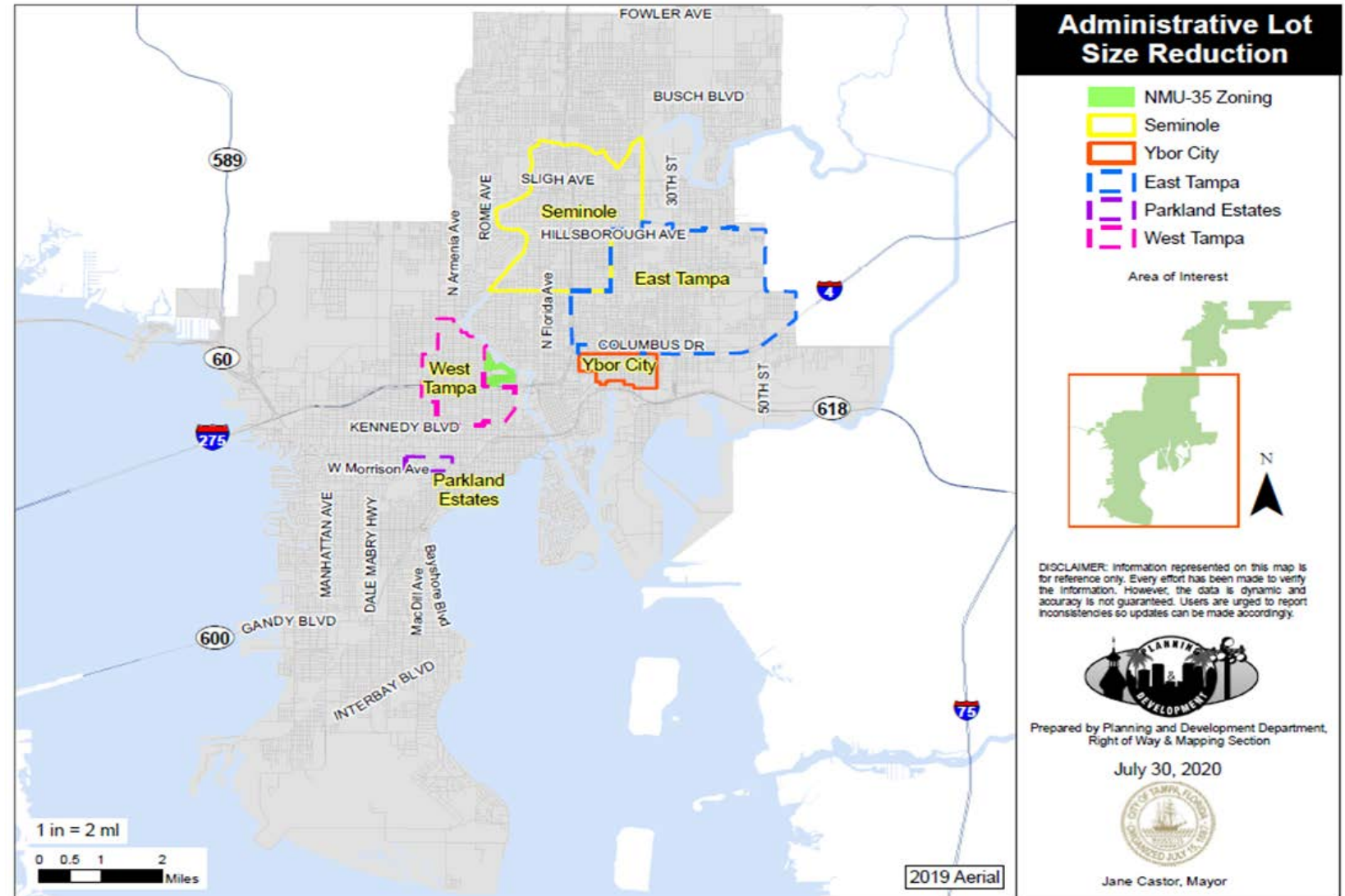
Planning staff and the Legal Department to appear and provide a staff report with recommendations regarding the possibility of revising Chapter 27, City of Tampa Code of Ordinances, that would address perhaps property owners who are within 5% of the specific dimensional criteria of the zoning code so that it would become an administrative process instead of a rezoning process.

The Tampa Comprehensive Plan encourages administrative processes: LU Objective 8.14 and associated LU Policy 8.14.1 encourage the streamlining of development regulations to remove unnecessary requirements or delays in approving and permitting residential development.

Recent Approvals - Research

- Staff reviewed 22 approved rezoning cases that resulted in reduced lot dimension/width. Twelve cases were Euclidean and ten cases were planned developments. On average, the lot width reduction was 17 percent.
- Based on the recent applications, the proposed 5 percent would not lead to administrative approval on the cases most recently approved by City Council. For example, RS-60 lot requirements are a minimum width of 60' and a minimum lot size of 6,000 square feet. A 5-percent change could create a lot that is 57' wide.
- Staff is recommending a reduction in 10 percent for the reduction, which would allow a RS-60 lot to be reduced in width from 60' to 54', for example.
- Overlay and special districts would remain the same, which recognizes platted lots and lots of record as "buildable lots". The graphic on the next page illustrates those districts.

Map of Special and Overlay Districts



Recommendations

1. Allow for the administrative creation of new lots through the formal decision process.
2. Create Criteria within the Creation of Lots Code Section, Chapter 27-11 to govern administrative process
 - a) Within 10 percent of the required lot dimension and/or lot width
 - b) Consistent with the existing development pattern (1,320 feet)
 - c) Allowance for administrative recognition of existing setbacks on “parent” parcel without requiring a variance, design exception or planned development. Does not vest non-conformity.
3. General language clean up

NEXT STEPS...

MEETING TYPE	DATE
City Council Workshop on Public Amendments <ul style="list-style-type: none">• Administrative Lot Split• Quarterly Text Amendments	August 27, 2021

Q & A

**Discussion - Administrative Lot Creation &
Is there a preference for 5% or 10%**

A blurred image of a city skyline at night, with various skyscrapers and buildings illuminated against a dark blue sky. The image is out of focus, creating a bokeh effect.

Privately Initiated Text Amendment

- January 2021 Amendment Cycle

- Applicant:

Stephen Michelini / smichelini@msn.com

John Lum / johnlum@live.com

2407 Sunset Drive

Tampa, FL 33629

- Request:

Amend various sections of Chapter 27 Zoning Code

BACKGROUND

- The last several years, the applicant has worked with Development Coordination (previously Land Development Coordination) Management on amending the Land Development Code (LDC).
- The original request consisted of amending more than 15 different sections of the LDC.
- Over the years it was established that certain items were projected to move forward as publicly initiated amendments and other items would require processing as private amendments.
- The language proposed is part of the remaining items the applicant requests to amend in the zoning code.

OVERVIEW - TEXT AMENDMENT REQUEST

	Code Section	Request Summary	Staff Finding
1	27-162 Yards between residential buildings	Remove required calculation	Support
2	27-156 Official schedule of district regulations	Side yard setbacks	Objection
3	27-156 Official schedule of district regulations	Allow open storage in CG	Objection
4	27-290.3 Swimming pools	Amend measurement from grade to floor	Support
5	27-156 Official schedule of district regulations	Amend building height from 30' to 35' before step back in front yard setbacks	Support
6	27-283.7 Number of off-street parking spaces	Eliminate visitor parking requirement	Support
7	27-282.10 Multi-family townhouse style design standards	Allow front entrances along the alley	Objection
8	27-240 East Tampa Overlay district design standards	Allow front yard setback at 20' or block average, whichever is less	Support
9	27-241 West Tampa Overlay district development standards	Allow front yard setback at 20' or block average, whichever is less	Support

1. Sec 27-162. Yards between residential buildings

CURRENT CODE: When a property contains more than one building, the required structural separation is based on a calculation associated with the building massing (length, width, and height).

PROPOSED MODIFICATION: Remove calculation requirement based structural separation and establish a standard for yards between buildings at 15' for single family detached, single family attached, single family semi-detached, two family and multi-family buildings, and hotels and motels.

STAFF FINDINGS: The proposed change will create uniform application of the separation distance requirement for single family detached, single family attached, single family semi—detached, two family and multi-family buildings, and hotels and motels.

2. 27-156 Official schedule of district regulations

CURRENT CODE: Allows reduction to 5' side yard setback for all zoning districts only when adjacent to single-family use.

PROPOSED MODIFICATION: Footnote 16 - Allow five-foot side yard, only when not adjacent to single-family use.

STAFF CONCERNS: Staff has concerns regarding this request and building code requirements for building separation. This amendment removes the requirement and buildings could be placed at a closer distance.

3. 27-156 Official schedule of district regulations

CURRENT CODE: Open storage is permitted as an accessory use in Commercial Intensive (CI) zoning district and is a permitted use in Industrial General (IG) and Industrial Heavy (IH) zoning districts.

PROPOSED MODIFICATION: Allow open storage as an accessory use in Commercial General (CG) zoning district for the following uses only:

1. Restaurant and
2. Retail Sales – Gasoline

STAFF CONCERNS: The proposed modification will encourage open storage without appropriate screening in zoning districts where open storage is not currently permitted. Commercial General properties, specifically containing restaurants and even retail sales, gasoline are in located throughout the City in close proximity and in many instances immediately abutting residential uses and the introduction of open storage is not compatible or appropriate.

4. 27-290.3 Swimming pools

CURRENT CODE: For In-ground pools, the pool deck and water level shall be at or within 12 inches of the finished grade.

PROPOSED MODIFICATION: For in-ground pools – removes finished *grade* from the pool deck and water level measurement and replaces with finished *floor*.

STAFF FINDINGS: Pool deck heights are influenced by wetlands, seawalls, and flood zone elevations. As new homes are built in these areas you have to elevate the structure and should be from finished floor or first floor living area. This is a common request which is consistently granted by the Variance Review Board (VRB).

5. 27-156 Official schedule of district regulations

CURRENT CODE: For each foot of building height above thirty (30) feet, in the Residential Multi-family (RM-24) and Office Professional (OP-1) zoning districts, the required yards shall be increased by one (1) foot.

PROPOSED MODIFICATION: Footnote 2- Removes the 30' height threshold and replaces it with 35' for each foot of building height required before required yards shall be increased by 1 foot.

STAFF FINDINGS: This would place the requirement to step back at 35' which is consistent with the current height requirement for single family residential uses.

6. 27-283.7 Number of off-street parking spaces

CURRENT CODE: Visitor parking is required for residential single family attached, semi-detached, multi-family townhouse-style, and multi-family uses. Code requires .25 spaces per unit.

PROPOSED MODIFICATION: Removes requirement to provide visitor parking (.25 spaces per unit) for residential, single-family, detached and semi-detached uses.

STAFF FINDINGS: Residents continue to raise concerns about adequate parking throughout the City. Although typically dwelling units have a garage and a parking pad, residents use garages for storage and park their vehicles on the driveway.

In certain parts of the City, a lack of parking is a concern. Without required visitor parking, newly developed residential units could be under parked causing on street parking and congestion that impedes emergency services access.

7. 27-282.10 Multi-family townhouse style design standards

CURRENT CODE: Front entry must face a right of way or internal courtyard.

PROPOSED MODIFICATION: Allow front entrances along the alley.

STAFF CONCERNS: This requirement is currently in the code due to a proliferation of units facing alleys and challenges it presented in public safety, addressing, and utilization of alley as a “street”, including circulation, trash pick up, and parking. Alleys typically do not have the width to function as a “roadway” and the units should not be designed to utilize them as such.

8. & 9. Front yard setback - East & West Tampa Overlay District

CURRENT CODE: In the East Tampa and West Tampa Overlay Districts, front yards are determined by “block averaging”.

PROPOSED MODIFICATION: Allow front yard setback at 20’ or block average, whichever is less.

STAFF FINDINGS: It appears the modification is seeking to correct those instances where the existing block average is greater than the zoning district required front setback of 20’ for RS-50 and in instances where the entire block is vacant. On a vacant block there is no way to complete a block average. This amendment will allow the front setback at 20’ on a vacant block.

In Summary:

This is a privately-initiated amendment

- Changes proposed are modifications to the zoning code.
- All changes proposed would apply city-wide except for the last two amendments presented, which apply to the East and West Tampa Overlay Districts.

NEXT STEPS...

MEETING TYPE	TENTATIVE DATES
City Council Workshop	June 24, 2021
Planning Commission Public Hearing	August / September 2021 <i>(has not been scheduled)</i>
City Council Public Hearings	November / December 2021 <i>(has not been scheduled)</i>

Q & A

Discussion – Privately-Initiated Text Amendment

Summary

Upcoming meeting dates:

MEETING TYPE	DATE
Public Information Meeting (Development & Growth Management) <ul style="list-style-type: none">• Amplified Sound Changes• Administrative Lot Split• Quarterly Text Amendments• Private Text Amendment: Michelini and Lum	June 7, 2021
City Council Workshop Private Amendments: Michelini and Lum Application	June 24, 2021
City Council Workshop on Public Amendments <ul style="list-style-type: none">• Amplified Sound Changes• Administrative Lot Split• Quarterly Text Amendments	August 27, 2021

You can view this presentation online at the following link:

<https://www.tampa.gov/planning-division/programs/development-code-composition>.

THANK YOU