

Executive Summary

27-283.12

Several code provisions allow the minimum car parking required to be offset by the inclusion of bicycle parking. Bicycle parking is good for businesses and promotes cycling as a legitimate form of transit. Also, well-designed parking can improve streetscapes and reduce pedestrian conflicts, as required in LDC Sec. 25-184. Currently, only 27-283.7 provides a dimensional criterion for bicycle parking, and only in the context of a temporary special event. This code amendment intends to standardize the dimensional standards of bicycle parking for all uses and to prohibit the use of substandard rack options that do not adequately support or secure bicycles.

27-284.1.2

This section notes the opposing characteristics of Camphor trees relative to the urban canopy and our native plant communities. To better meet the performance criteria indicated in the City of Tampa Tree Canopy and Urban Forest Analysis (2016) and the Urban Forest Management Plan, the importance of camphors should be reduced. According to the literature cited in the analysis (Duryea), Camphor is a species with medium-low wind resistance. The proposed code change disincentivizes the replanting of additional camphor trees in any case.

Also, through an anomaly in mitigation calculations, protected camphors require more mitigation than grand camphors due to the multiple depreciation factors included in the grand mitigation calculations provided in Table 284.4.1-A1. Since camphors are considered invasive, the species rating is 0.1, which reduces the grand mitigation requirements by 90%. The same reduction is not present in Table 284.4.1-A.

27-284.2.5

The reasonable reconfiguration criteria associated with grand tree removal is associated strongly with building layout, but it is silent on the overall site layout. On sites $\frac{1}{4}$ acre or larger, building arrangement, parking lot arrangement, loading docks, and truck circulation may experience the same proportional impact to flow and function as a house does on a smaller residential lot. A small clause including vehicle use areas has been added to permit reasonable reconfiguration review for site design.

Additionally, with the passing of F.S. 163.045, trees of any size can be removed without a permit or replacement if specific criteria are met. The hazardous grand tree determination that is currently required to remove a grand tree could be considered the same criteria that is used to satisfy the statutory exemption. To promote tree replacement by acquiring a removal permit, we are proposing that notice requirements be removed from the hazardous grand tree determination. If qualified professionals determine a tree to be a hazard or that it has a high potential for failure, and the Natural Resources Coordinator, or designee, agrees, then we believe that should be sufficient due process. The legislature currently takes that position while not requiring replacement after removal.

Finally, we are proposing that tree reporting requirements be reduced. Again, since the statutory exemption allows for tree removal to occur without reporting, the reporting exercise would only capture permitted removals, not total removals. These parallel statistics reduce the value of the reports while maintaining the same staff effort to prepare the reports. We believe the urban forest can be better served by applying staff effort to other urban forest management goals.

27-284.3.1

Table 284.3.1 lists arbitrary minimum retention requirement percentages that do not relate to the urban forest management plan except by measuring gross trees preserved. As the plan suggests, not all trees are created equal, and Footnote 4 begins to capture to variable importance of individual species within the larger tree canopy population. We are proposing to extend that logic further to meet the plan's performance criteria better, notably to promote wind resistant and climate suitable trees species.

We are also defining the term "adequate trees." According to the canopy study (2016), Tampa has an average of 125 trees per acre, which is a third of what a typical native forest would have. The study reviewed Tree Density and found that four land use categories had a tree density per acre less than 30 trees: public communications utility, public institutional, multi-family, and right-of-way/transportation (agriculture was excluded). The remaining uses all had tree densities over 100 trees per acre.

This minimum retention provision is overall burdensome and makes tree preservation both a numbers game and frequently a waiver request. We are proposing this revised language to promote infill in urban, disturbed, and brownfield sites.

27-284.3.3

More than one design professional has provided us with their unsolicited critique of the "landscape buffer table." We are proposing a few formatting changes to improve clarity while also rectifying what we believe to be scrivener's errors. The overall function and content has not changed.

- Like uses have been grouped into "use categories" to visually reinforce that the adjacent use buffers apply to each use in the category.
- The adjacent uses have been merged into a single cell for each use category to prevent the tendency to read "across the row."
- "Other" has been removed from "Any Other Group B Use" and "Any Other Group C Use" to reduce confusion.
- The buffer distances for Group C matched Group B uses, which did not make sense and did not match other sections of the table.

Sec. 27-283.12. - Off-street parking space standards.

(a) Regular car off-street parking layout:

PKG TABLE 2

Dimension (in feet)	On Diagram	0°	45°	60°	75°	90°
Stall width perpendicular to stall length of line	A	9.0	9.0	9.0	9.0	9.0
Stall length of line	B	24.0	27.0	23.2	20.4	18.0
Stall depth to wall	C	9.0	19.1	20.0	19.7	18.0
Aisle width between stall lines	D	12.0	11.0	18.0	22.0	24.0
Module width wall to wall	E	30.0	49.2	58.2	61.4	62.0
Bumper overhang ¹ (optional)	F	2.0	2.0	2.0	2.0	2.0
Back-up width	G	—	—	—	—	7.0
Cross-aisle one-way	H	10.0 (min.) and 15.0 (max.)				
Cross-aisle two-way	H	20.0 (min.) and 30.0 (max.)				

Note:

¹ Bumper overhang not permitted over landscaping or sidewalk area.

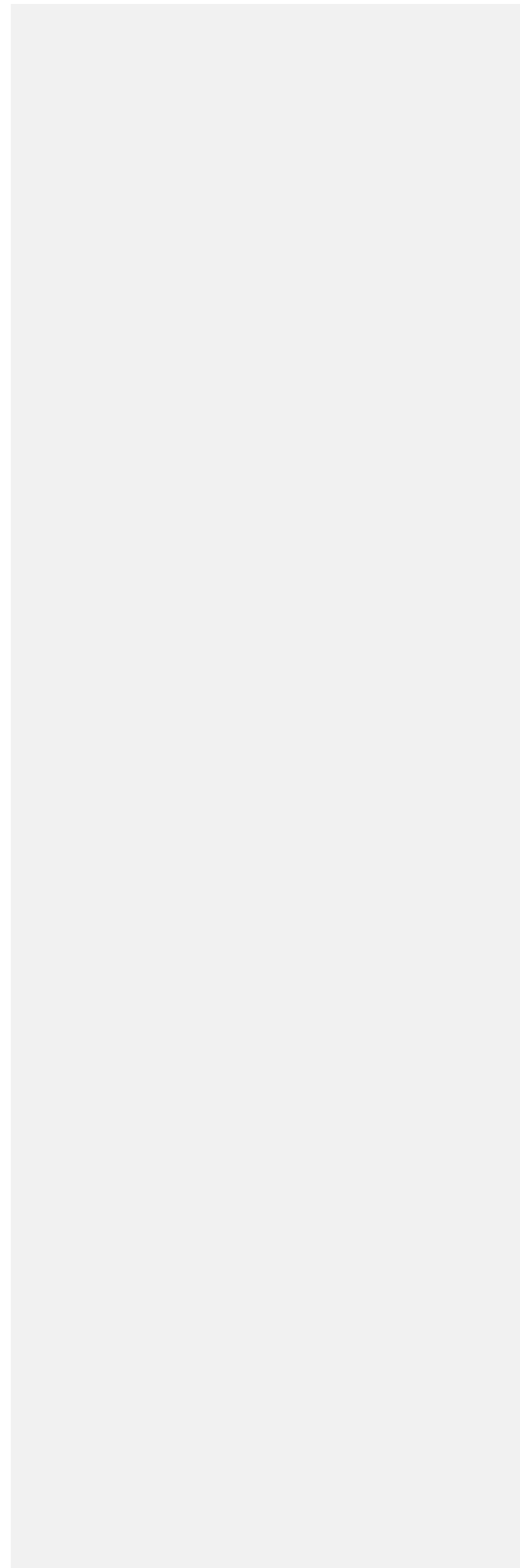
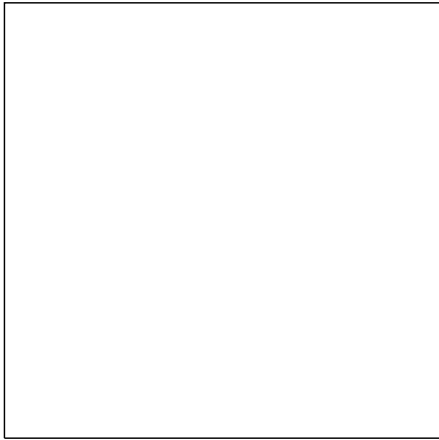
(b) Compact car off-street parking requirements and stall layout:

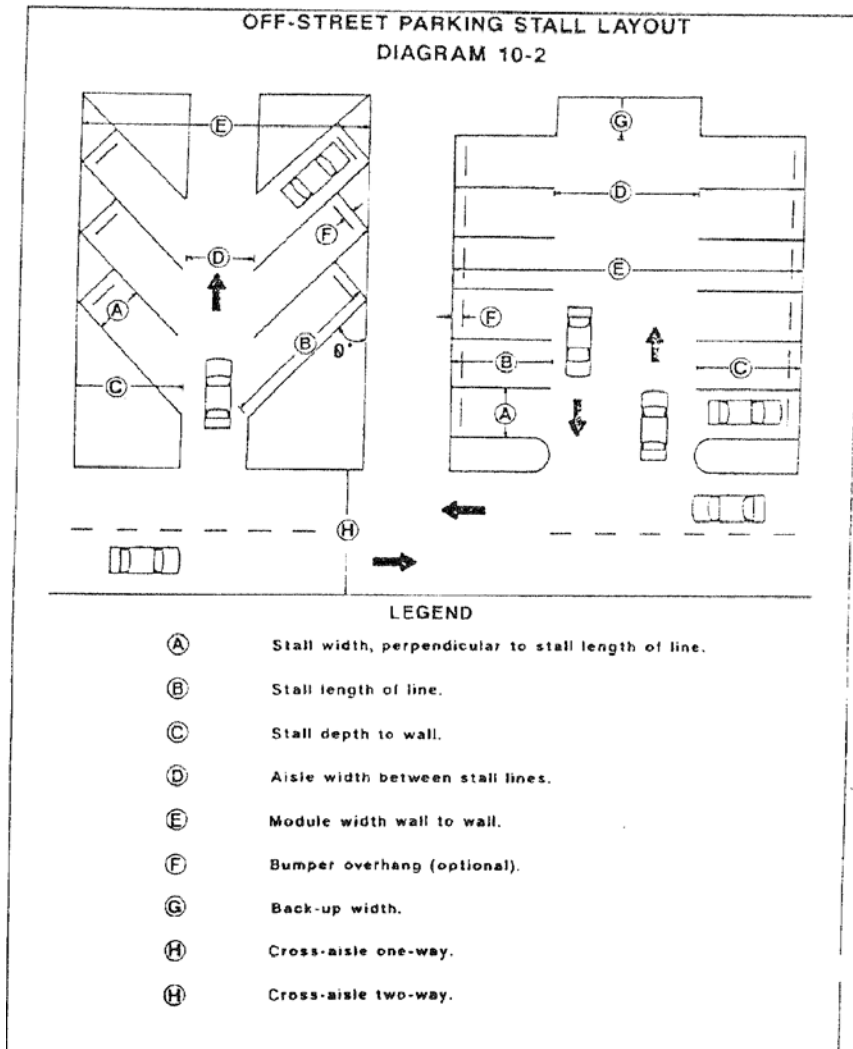
- (1) Compact car parking may be allowed for up to sixty-five (65) percent of the required spaces. Compact car parking may be provided for up to one hundred (100) percent of the spaces in excess of the required number of spaces.
- (2) For ninety-degree compact parking, the minimum stall width shall be eight (8) feet and the minimum stall length shall be sixteen (16) feet. There need to be no provision for bumper overhang for compact parking.
- (3) Compact parking spaces shall be clustered in groups and located within easy access of an entrance so as to be desirable and fully utilized.
- (4) Compact parking spaces must be designated as being for the exclusive use of compact cars through the use of signage or marking.
- (5) The overall design must be reviewed and approved by the Planning and Development Department (PDD), with consultation with the department of public works, if required.

- (6) The parking layout dimensions (in feet) for eight-foot compact parking stalls at various angle is shown below in PKG Table 3.
- (7) The off-street parking stall layout for compact cars is also controlled by PKG Graphic-2.
- (8) Compact parking spaces shall not be utilized for single-family detached, semi-detached, attached, two-family, or multi-family townhouse style units, which are located within a garage or in tandem. Please refer to "27-283.12(a) Regular car off-street parking layout" for required dimensions.

PKG TABLE 3
COMPACT CAR OFF-STREET PARKING LAYOUT

Dimension (in feet)	On Diagram	0°	45°	60°	75°	90°
Stall width perpendicular to stall length of line	A	8.0	8.0	8.0	8.0	8.0
Stall length of line	B	22.0	24.0	20.6	18.1	16.0
Stall depth to wall	C	8.0	17.0	17.8	17.5	16.0
Aisle width between stall lines	D	12.0	11.0	18.0	22.0	24.0
Module width wall to wall	E	28.0	45.0	53.6	57.0	56.0
Bumper overhang (optional)	F	—	—	—	—	—
Back-up width	G	—	—	—	—	6.0
Cross-aisle one-way	H	10.0 (min.) and 15.0 (max.)				
Cross-aisle two-way	H	20.0 (min.) and 30.0 (max.)				





Off-Street Parking Stall Layout—PKG Graphic-2

- (c) Parking for the handicapped shall be provided in accordance with the provisions of the F.S. §§ 316.1955 and 316.1956 and shall be included in the minimum number of parking spaces required by this article.
- (d) All residential uses shall be required to provide a hard surface parking area, made of concrete and/or permeable paver material, within the private lot for all required parking spaces. In addition, the

driveway access (apron) located in the public right-of-way is required to be paved in order to preserve the edge of the roadway and protect it from erosion and damage.

- (e) All off-street parking lots shall be graded and drained so as to dispose of all surface water accumulated within the area, in accordance with this Code and the design standards of the department of public works.
- (f) Lighting, if provided, shall be directed away from public streets and residential areas and shall not be a hazard or distraction to motorists traveling on a street.
- (g) Sales, dead storage, repair, dismantling and service of motor vehicles shall not be permitted on off-street parking spaces.
- (h)
 - (1) All off-street parking spaces, including all areas for maneuvering, shall be located solely on private property and shall not utilize public property or public street rights-of-way, except for single-family detached, semidetached and attached uses and multi-family development with no more than four (4) units on the zoning lot. Single-family detached, semidetached and attached uses and multi-family development with no more than four (4) units on the zoning lot may utilize public rights-of-way for maneuvering, provided that all the following conditions are met:
 - a. The proposed use is a permitted or special use;
 - b. The parking spaces are located entirely on the zoning lot;
 - c. For single-family attached uses and multi-family development with no more than four (4) units on the zoning lot, the available traffic data must show that the traffic count on the street providing access is less than or equal to one thousand five hundred (1,500) vehicles per day. The traffic data shall be verified and approved by the department of public works.
 - (2) All off-street parking spaces may utilize public alley right-of-way for maneuvering into and out of a legally sized (per this section 27-283.12) parking space provided the following are met:
 - a. If the alley is unimproved, the developer must improve the alley per department of public works standards. Or, if the alley is already being accessed by other properties on the block, the alley must be evaluated by the department of public works to determine if the existing condition of the alley is able to support the additional traffic. The department of public works may require the developer to improve the alley.
 - b. The dimensional standards in this section must be met per PKG Table 2 and PKG Table 3. The total width of the public right-of-way of the alley may be counted toward the required aisle width. Modification to these standards may be approved by the manager of the transportation division provided safe ingress and egress to the parking space is demonstrated.
 - c. The access to the alley must be designed to ensure adequate visibility is provided per section 27-283.5.
- (i) All off-street parking areas shall be designed to provide safe and convenient circulation, in accordance with commonly accepted traffic engineering practices and subject to the review and approval of the director of the department of public works.
- (j) *Nonresidential parking lots and garages shall be designed to minimize impact to residential neighborhoods.* In connection herewith the following requirements shall apply to all nonresidential parking lots and garages.
 - (1) Ingress and egress to nonresidential parking lots/garages shall be limited to arterial or collector streets, unless one (1) or more of the following conditions exist:
 - (a) The property fronts only local street(s); or
 - (b) Access to all adjacent arterial or collector street(s) is/are discouraged or rendered impracticable by another provision(s) of the City of Tampa Code; or

- (c) Access to all adjacent arterial or collector street(s) is/are prohibited by the Florida Department of Transportation or another governmental entity; or
- (d) No residentially zoned property exists on the affected segment of a local street where ingress and/or egress is proposed to a nonresidential parking lot or garage. For purposes hereof, the "affected segment of a local street" shall mean the segment of a local street where ingress and/or egress to a nonresidential parking lot or garage is proposed lying between the two (2) closest intersecting arterial or collector streets.

If one (1) or more of the conditions set forth above exist, then ingress and egress to the nonresidential parking lot or garage on a local street shall be permitted without requiring a waiver or special approval from the city; provided, however, the design and location of the ingress and egress to a nonresidential parking lot or garage on a local street shall comply with the requirements provided herein.

- (2) In the event that none of the conditions contained in subsection 27-283.12(j)(1) apply, the owner of the property on which the nonresidential parking lot or garage is or will be located may file an application with the city requesting a waiver allowing ingress and egress to a nonresidential parking lot or garage on a local street.

Applications for a waiver shall be filed with the Development Services Center and shall include the following information:

- (a) The name and address of the applicant;
- (b) The name and address of the owner of the property on which the nonresidential parking lot is or will be located;
- (c) The legal description of the property;
- (d) Evidence that one or both of the conditions set forth below exist; and
- (e) A list of all property owners located within two hundred fifty (250) feet of the subject property based on information supplied by the Hillsborough County Property Appraiser's Office.

The Development Services Center shall transmit the application to the Transportation Division. The Transportation Division may grant a waiver allowing ingress and egress to a nonresidential parking lot or garage on a local street if the Transportation Division finds that one (1) or both of the following conditions exist:

- (a) The local street primarily serves commercial traffic; or
- (b) The Transportation Division determines that the failure to allow ingress/egress to a local street in addition to, or in lieu of, ingress/egress to an arterial or collector street, will have a significant detrimental impact on traffic flow or safety on surrounding streets.

The Transportation Division shall notify an applicant, in writing, of its decision on an application for a waiver of the driveway location requirements set forth herein. If the Transportation Division issues a written decision approving such a waiver, then the applicant must thereafter provide notice of that decision to the officially registered neighborhood association, as registered with the City of Tampa, in which the subject property is located, and to all other officially registered neighborhood associations that lie within two hundred fifty (250) feet, including roads and streets, in all directions from the subject property, and to his or her neighboring property owners within two hundred fifty (250) feet of the subject property consistent with those public notice procedures set forth in section 27-149(c)(2); however, the applicant must submit an affidavit regarding notification and certificate of mailing to the Transportation Division within ten (10) days of receipt of the Transportation Division's decision. In the event that the applicant fails to properly notice the waiver or fails to timely file the affidavit regarding notification and the certificate of mailing, then the waiver shall be denied. If the application for a waiver is denied for any reason, then no application for the same or similar waiver shall be accepted and considered by the city until three (3) months has elapsed since the date that the prior request for the same

or similar waiver was denied. Decisions of the Transportation Division in connection with an application for a waiver may be appealed by an applicant, an appointed representative of the registered neighborhood association, or the owner of property within two hundred fifty (250) feet of the subject property to the variance review board or the Architectural Review Commission (in historic districts, generally, or landmark sites) or the Barrio Latino Commission (in the Ybor City Historic District) in accordance with section 27-61(a). Any such appeal must be filed either within fifteen (15) days of the date of a letter from the Transportation Division denying the waiver, or within fifteen (15) days of the date of the certificate of mailing of notice of a decision approving a waiver, whichever is applicable. No permits shall be issued for construction or development until the applicable fifteen-day appeal period has lapsed, and if an appeal petition has been filed, until the appropriate board has rendered a final decision thereon.

- (3) In the event ingress and egress to a nonresidential parking lot or garage on a local street is allowed in accordance with the terms hereof (by waiver or otherwise) and the local street is adjacent to a residential neighborhood, then, to the extent practicable and safe the driveway shall be designed to channel traffic away from the residential neighborhood. This driveway may not exceed the minimum distance from an intersection as required by the department of public works.
 - (4) A proposed development shall be exempt from the requirements of this subsection if it has received a final local development order as defined in the concurrency management system ordinance on or before January 31, 1990.
- (k) For all non-residential uses, half of the required number of off-street parking spaces shall be surfaced with asphalt or Portland cement binder pavement or an equivalent improvement so as to provide a durable and dustless surface. In making a determination as to the suitability of an equivalent improvement, the city traffic engineer shall find that such improvement:
- (1) Provides a safe and permanent surface, suitable for the quantity and quality of traffic expected to use it; and
 - (2) Provides a surface that will accept permanent delineation of parking spaces, aisles, accessways and maneuvering areas; and
 - (3) Provides a surface that will not contribute to erosion or sedimentation, either on-site or off-site; and
 - (4) Provides a surface that meets the design standards of the department of public works; and
 - (5) Complies with applicable local, state, and federal regulations regarding access to and maneuverability within said areas for people with disabilities.

The balance of the required parking spaces shall be a hard rock surface or material deemed acceptable by the city traffic engineer, which shall be designed to include bumper stops or other department of public works approved methods of delineating parking spaces.

(l) ~~[Reserved.] Bicycle parking layout~~

(1) When bicycle parking is used to offset car parking requirements, each bicycle parking space shall be located no further than 100 feet from a practical entrance and consist of either:

A shingle 36" X 72" clear space directly adjacent to a firmly-mounted rack capable of supporting a bicycle upright by its frame in two places; or

A secure enclosed bicycle locker.

(2) Undulated, wave, spiral, schoolyard, coathanger and wheelwell racks or mounts shall not be used to offset car parking requirements.

(m) ~~[Reserved.]~~

Sec. 27-284.1.2. - Trees—Protected, grand, and exempt trees; measurement methods.

- (a) *Protected trees.* Any tree species that meets the definition set forth in section 27-43 of the City Code is deemed a "protected" tree.
- (b) *Specimen trees.* Any tree species that meets the definition set forth in section 27-43 and is listed in Table 284.1.2 below is deemed a "specimen" tree. A specimen tree is a protected tree.
- (b) *Grand trees.* Any tree species, which meets the definition set forth in section 27-43 and is listed in Table 284.1.2 below, is deemed a "grand" tree. The natural resources coordinator may consider additional species as "grand," which possess similar characteristics, as described in the City Tree Matrix (refer to section 27-284.3.2).

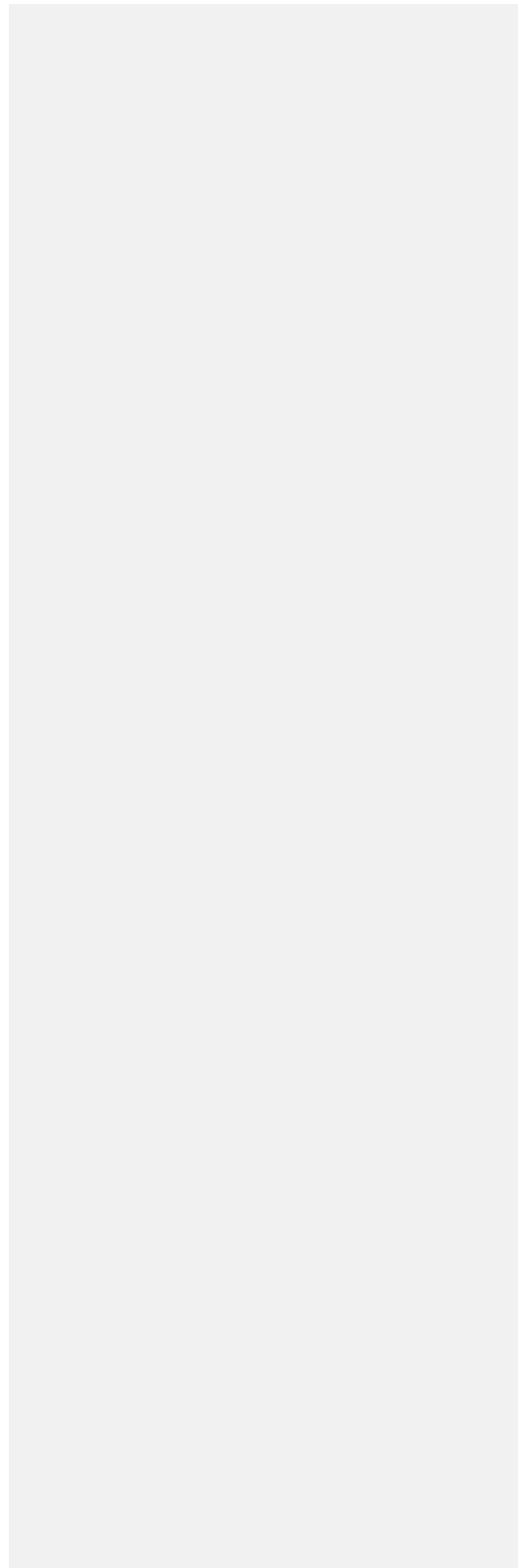
Table 284.1.2: Grand Tree Species		
Scientific Name	Common Name	Florida Native
Acer rubrum	Red Maple	Yes
Carya glabra	Pignut Hickory	Yes
Carya illinoensis	Pecan	No
Cinnamomum camphora	Camphor	No
Fraxinus tomentosa (sp. "profunda")	Pumpkin Ash	Yes
Liquidambar styraciflua	Sweetgum	Yes
Magnolia grandiflora	Southern Magnolia	Yes
Magnolia virginiana	Sweetbay Magnolia	Yes
Nyssa sylvatica	Black Gum (Black Tupelo)	Yes
Pinus elliotii var densa	Slash Pine	Yes
Pinus palustris	Longleaf Pine	Yes
Pinus taeda	Loblolly Pine	Yes
Platanus occidentalis	(American) Sycamore	Yes

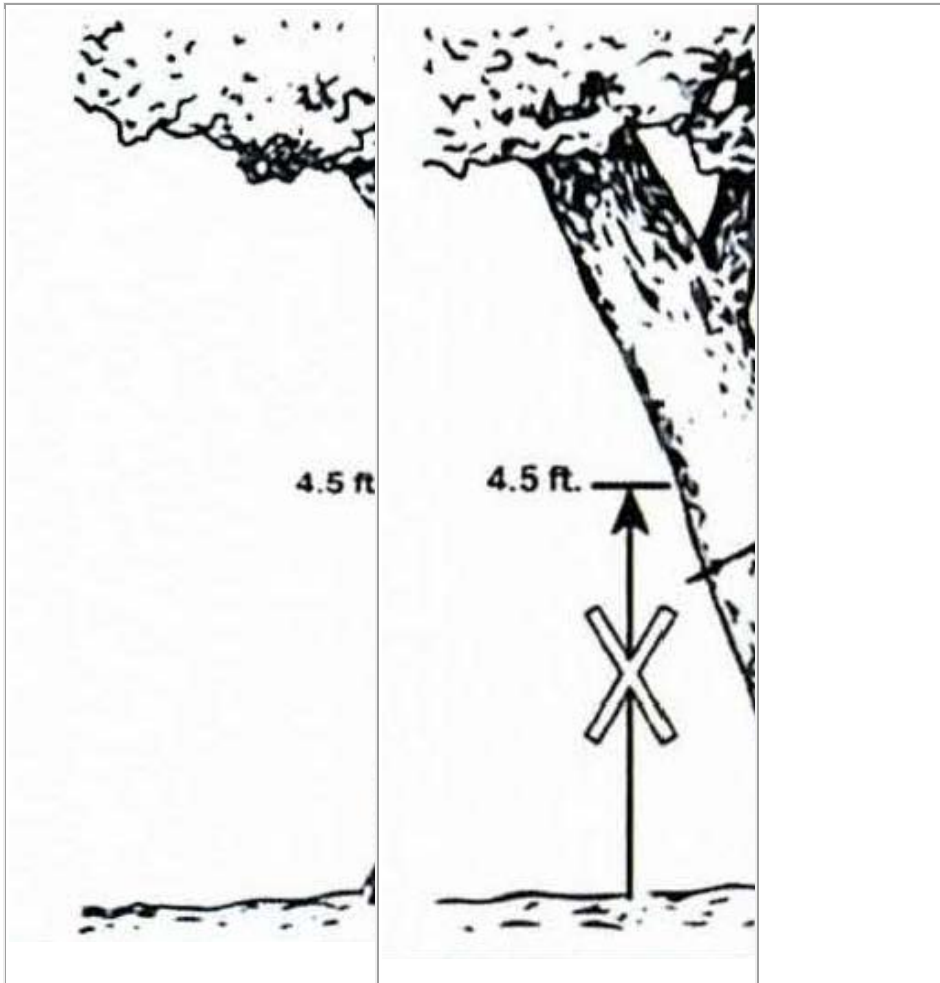
Quercus austrina	Bluff Oak	Yes
Quercus durandii (sinuata)	Durand Oak	Yes
Quercus falcata	Southern Red Oak	Yes
Quercus geminata	Sand Live Oak	Yes
Quercus laurifolia	Laurel Oak (Diamond Leaf Oak)	Yes
Quercus michauxii	Swamp Chestnut Oak	Yes
Quercus virginiana	Southern Live Oak (Live Oak)	Yes
Taxodium ascendens	Pondcypress	Yes
Taxodium distichum	Baldcypress	Yes
Ulmus alata	Winged Elm	Yes
Ulmus americana	American Elm	Yes
Notes:		
[1] Refer to section 27-43 for definition of "grand tree."		
[2] Refer to section 27-284.1.2(d)(3) for specific conditions for Camphor (Cinnamomum camphora).		

(c) *Measuring diameter at breast height (DBH).* Measuring the diameter at breast height ("DBH"), as defined in section 27-43, is a standard method of expressing the diameter of the trunk of a tree. Graphics 284.1.2-A through 284.1.2-E depict and describe the four (4) industry standard, accepted methods for measuring trunk diameter.

284.1.2-A: Straight Tree, on land with minimal-to-no slope	284.1.2-B: Sloped Tree, on land with minimal-to-no slope	284.1.2-C: Straight Tree, on sloped land
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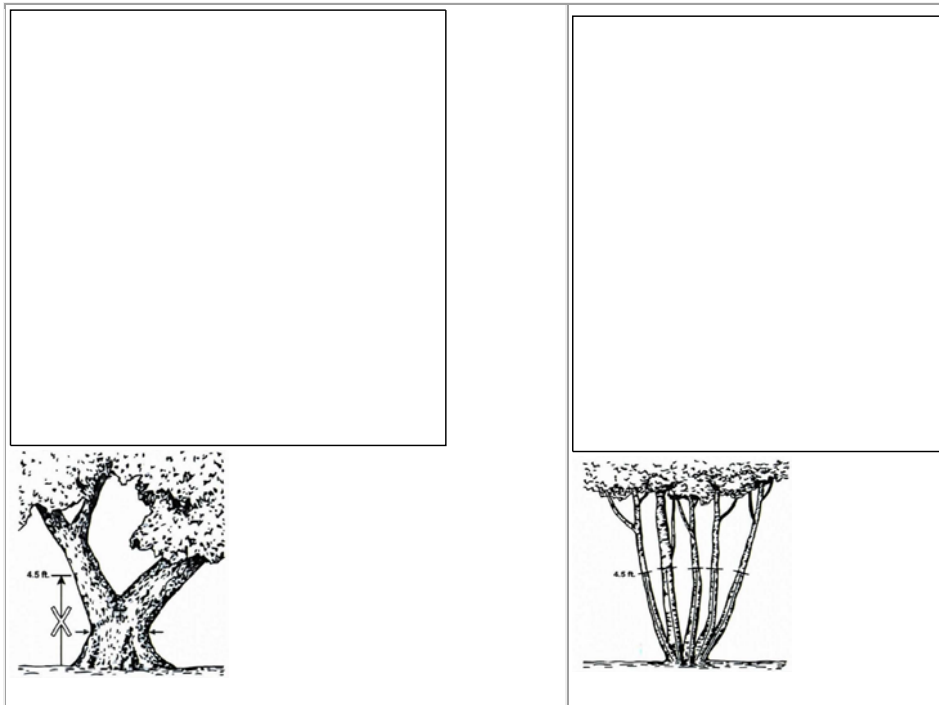
		





284.1.2-D: Low-branching tree, on land with minimal-to-no slope

284.1.2-E: Multi-stemmed trunk, on land with minimal-to-no slope



(d) *Exempt trees—City wide.* Exempt trees, as defined in section 27-43 of the City Code, shall not require permit for removal and shall adhere to the following requirements:

- (1) All Category I species, as listed on the Florida Exotic Pest Plant Council's 2017 List of Invasive Plant Species, with the exception of Camphor (*Cinnamomum camphora*), shall be required to be removed concurrent with any site work-related permit, unless otherwise approved by the natural resources coordinator or designee. Category I species shall not be factored into Tree Retention-Mitigation Equivalency Tables, as set forth in section 27-284.4.1, for any project or development. Refer to subsection (3) below for specific requirements related to Camphor.
- (2) All Category II species, as listed on the Florida Exotic Pest Plant Council's 2017 List of Invasive Plant Species, if existing may remain in place or be planted as new, but no credit shall be factored into the Tree Retention-Mitigation Equivalency Tables, as set forth in section 27-284.4.1, for retention or planting such species.
- (3) The camphor tree (*Cinnamomum camphora*) is classified as a Category I invasive species, according to the Florida Exotic Pest Plant Council's 2017 List of Invasive Plant Species. This tree species, however, has been successfully planted and maintained, under certain conditions, throughout the city. With strict adherence to the following criteria and conditions, the camphor tree provides benefits and ample crown footprint to the overall city urban forest canopy, and shall be deemed "protected" for purposes of mitigation (replacement) calculation and can reach 'grand' status for same, subject to the following:

- a. Standard "credit" awarded for retaining any camphor tree rated in excellent or good condition (protected or grand), that is not located within or proximate to (within fifty (50) feet of) any environmentally sensitive land (i.e. river, lake, bay, wetland, upland habitat, or significant wildlife corridor);
- b. ~~Standard No.~~ "credit" awarded for planting any camphor tree ~~(Florida Grade No. 1), that is not located within or proximate to (within fifty (50) feet of) any environmentally sensitive land (i.e. river, lake, bay, wetland, upland habitat, or significant wildlife corridor);~~
- c. Any camphor tree that is located within or proximate to such environmentally sensitive lands shall be required to be removed, and shall be factored into Tree Retention-Mitigation Equivalency Tables, as set forth in section 27-284.4.1, as a "debit"; and
- d. Regardless of size or location, camphor trees can be removed without performing any applicable public notice or any site development redesign, but shall adhere to mitigation requirements. [Mitigation credits and debits for protected camphor trees shall be depreciated by the species rating.](#)

(Ord. No. 2019-54, § 33(Exh. A), 4-18-2019)

Sec. 27-284.2.5. - Permit for grand tree removal; application; required documentation; standards and criteria for decision; inspections; petition for review.

- (a) *Applicant, in general.* An application for grand tree removal shall be applied for by a person licensed, or otherwise authorized by the city, to remove and plant trees in the city. If no specific licensing requirements are established, then one (1) of the licensed professionals described in section 27-284.2.1(b) must be designated as the applicant on such an application made to the city.
- (b) *Application contents.* Building permits shall not be issued without approved tree removal permits, where applicable. All applications for a tree removal permit shall include a tree survey, as defined in section 27-43. Arborist verification may be performed by the natural resources coordinator, or designee, or other arborist.
- (c) *Grand tree removal, in general.* It shall be unlawful for any person to cut down, remove, relocate, damage, destroy, or in any manner abuse any grand tree in the city, until such work is authorized by a permit issued by the PDD. An application for grand tree removal shall be granted by the appropriate board or commission, as provided in subsection (f) below, or by the natural resources coordinator or designee, when it is determined that criteria in Table 284.2.5 below have been met:

Table 284.2.5 General Standards for Approval of Grand Tree Removal	
In connection with the review and approval of applications for the removal of a grand tree, the following standards shall apply:	
Type of Determination	Specific Review Criteria & Conditions
Existing tree condition based on arborist evaluation	Permitted for removal, if: Tree is deemed "Hazardous" based on determination of natural resources coordinator or designee, using the "Tree Condition Evaluation Form," set forth in the Technical Manual. [1, 3i, 4, 6, 7]
Causing structural damage to existing building	1. Determination that a grand tree has grown and caused, or will likely grow within one (1) year, in such a manner that it will cause structural damage to the foundation, structural walls, or structural roof of an existing, permanent building. [2]
	2. Application for a permit for demolition of the existing building, for which the grand tree was removed, within two (2) years from the tree removal permit approval date, shall create a rebuttable presumption that the tree removal permit was fraudulently obtained. An applicant for demolition may rebut the presumption by showing additional facts discovered after the tree removal permit was obtained that necessitated the demolition. If the applicant for demolition fails to show that the tree removal permit was not fraudulently obtained, then the tree removal permit shall be revoked and the applicant shall be required to apply for an

	after-the-fact tree removal permit for construction activity impacts based on the new, planned construction. If the after-the-fact tree removal permit is denied, enforcement proceedings will begin as provided in subdivision 7 as if no tree removal permit was granted.
Emergency hazardous tree removal	Refer to section 27-284.2.7 for procedure.
Tree Removal Zone (TRZ) for small lots [1, 3ii]	Only on TRZ eligible lots, a grand tree that has all or the majority of its trunk, determined at DBH, within the TRZ may be removed if the footprint of a proposed principal structure/building, or addition of heated floor area to an existing principal structure/building, conflicts (as shown on the construction plans of the related building permit) with a fifteen-foot radius of the grand tree's trunk, said radius to be measured outwards from the edge of the trunk at DBH.
Other construction activity impact(s) (board or commission approval required) [3iii]	1. A grand tree may be rendered "hazardous," due to impacts of certain construction activity, if (combination of a. and c., or b. and c. is required for approval of permit for tree removal based on "construction activity impact(s)"): <ul style="list-style-type: none"> a. Proposed building footprint of a building/structure or addition thereto, which adheres to the standard setback/yard and height requirements of the subject zoning district (without variance or exception), or a vehicular use area that would impact the structural stability and condition of the tree (root system, trunk, canopy), to such a degree that the tree would be irreversibly or irreparably damaged [5]; or b. Proposed, installation of an underground utility main line, which adheres to applicable local, state, and federal requirements for location and clearance, would impact the structural stability and condition of the tree (root system, trunk, canopy), to such a degree that the tree would be irreversibly or irreparably damaged; and c. The applicant has demonstrated that there is no other reasonable reconfiguration [5] of the applicable, proposed development components.
Notes:	
[1] Refer to section 27-43 for defined terms.	

[2] Determination regarding tree condition made by natural resources coordinator; determination regarding structural damage of existing building made by building official.

[3] i. Refer to section 27-284.2.5(h) for application procedures.

ii. Refer to section 27-284.2.5(g) for application procedures.

iii. Refer to section 27-284.2.5(f) for application procedures.

[4] Trees rendered "hazardous" shall not be removed from the site, until construction activity has been granted a permit to and has commenced. Such trees shall be removed from the site prior to issuance of any certificate of occupancy or certificate of completion for the subject construction activity. Trees deemed "hazardous" and permitted for removal shall be removed from the site prior to issuance of any certificate of occupancy or certificate of completion for the subject construction activity.

[5] Reasonable reconfiguration includes:

i. When feasible, encroaching up to the critical root zone with root pruning and utilizing a suspended floor and structural foundation piers located as to minimize damage to the tree(s)' root system(s); and

ii. Altering the proposed placement, orientation, or height of any building or structure, or altering the structure size (area/volume/height) to prevent rendering a grand tree hazardous, provided that:

1. The structure location is not adjusted more than allowed by a design exception, as provided in section 27-60,

2. There is no change in the number of stories proposed and the height of the structure is increased by no more than allowed by a design exception to the height for the structure, and

3. The internal flow or function of the structure is not adversely altered by the reconfiguration.

iii. altering the proposed placement/height of any mainline utility, onsite or within existing right-of-way, to meet minimum tree protection zone(s), provided that such alteration does not impact utility function or safety;

iv. altering the proposed placement/size of any vehicular access to meet minimum tree protection zone(s), provided such alteration does not render the function, visibility, and/or safety of

the access as noncompliant with applicable city technical standards. Provision of minimum tree protection zone(s) may be considered a factor in granting (an) alternative design exception(s) to setbacks/yards, height, and/or vehicle access standards (refer to sections 27-60 and 22-319).

[6] The natural resources coordinator or designee may recommend the pruning of a grand tree in lieu of removing the grand tree, if such pruning will adequately address the hazardous condition.

[7] [Refer to section 27-284.2.5\(h\) for notice requirements.](#)

- (d) *Tree mitigation (replacement/contribution), in general.* Unless otherwise exempt in this division, removal of any grand tree from any public or private lands or right-of-way, is subject to the tree mitigation requirements set forth in sections 27-284.4 through 27-284.4.2. Each and every day that a person fails to mitigate as required will constitute a separate violation.
- (e) *Grand tree damage or destruction.* If a grand tree is unlawfully damaged but not destroyed, then the property owner or the person responsible shall hire an arborist to take appropriate corrective action to restore the tree. If the grand tree cannot be restored or is unlawfully destroyed, and parts thereof remain, the destroyed tree shall be completely removed from the site and mitigated for according to sections 27-284.4 through 27-284.4.2.
- (f) *Quasi-judicial hearing; grand tree(s) removed due to construction activity impact.* Grand trees may be removed after application and granting of a variance by the appropriate board and/or commission as provided in section 27-76.
 - (1) Applications for variances for non-hazardous grand tree removal permit shall be filed with the zoning administrator. Applications shall be submitted on forms provided by zoning administrator, and shall include the following information:
 - a. A tree survey, as defined in section 27-43. Arborist verification may be performed by the natural resources coordinator, or designee, or other arborist;
 - b. A site plan, drawn to-scale, depicting the proposed building(s)/structure(s) (new construction and/or building additions), and including:
 - 1. The applicable setbacks/yards for the building(s), structure(s), and/or addition(s);
 - 2. The reductions in setbacks/yards for the building(s), structure(s), and/or addition(s) allowed by section 27-156 Table 4-2 n.7, or allowed by an alternative design exception, as provided in section 27-60;
 - 3. The height and number of stories for each proposed building/structure/addition;
 - 4. The approximate location and height of any limbs over the buildable area measuring four (4) inches or greater in diameter, as measured twelve (12) inches from the base of the limb; and
 - 5. Any easements, curb cuts, underground facilities, or other encumbrances that would prevent the shifting of the proposed building(s), structure(s), and/or addition(s) on the property.

The corners of the proposed building(s)/structure(s)/addition(s) shall be staked at the site. If the corners are not staked prior to field inspection by the natural resources coordinator, or designee, an additional fifteen (15) days shall be added to the review period set forth in section 27-284.2.5(f)(2) below.

- (2) Within thirty (30) days after receipt of a complete application for a grand tree removal, the natural resources coordinator, or designee, will forward the grand tree evaluation(s) and a recommendation of whether the proposed building(s)/structure(s)/addition(s) can be reasonably reconfigured to save the grand tree(s) requested for removal to the applicable administrator for the appropriate board or commission for scheduling of the public hearing and processing as a variance. Incomplete applications shall be marked incomplete and will not be forwarded for scheduling of a public hearing until thirty (30) days after the application is determined to be complete.

For applications for grand tree removal for an accessory building/structure, the appropriate administrator shall prepare and include in the staff report an aerial map with zoning overlay depicting the existing development pattern in a radius of one thousand three hundred twenty (1,320) feet (one-fourth (¼) of a mile) of the subject property.

- (3) *Public notice.* After the recommendation is forwarded to the appropriate administrator, the administrator shall notify the applicant of the public hearing date. The applicant shall then complete notice as provided for in section 27-149 with supplemental notice provided in section 27-149(c)(1) (mailed notice) and subsection (c)(2) (posted notice). Pursuant to section 27-149(c)(3), the applicant shall file the required affidavit of compliance with the administrator.
- (4) *Consideration by the board or commission.* At the public hearing, the board or commission shall consider the following factors in deciding whether to grant or deny the tree removal application:
- a. The impact of the proposed building/structure building area on the impacted tree(s), as shown by a survey or drawing of the parcel of property (to scale) accurately depicting the location, crown spread, and crown spread area, of the tree(s), including the minimum protective root zone around the tree(s);
 - b. Whether the proposed building(s)/structure(s) can be reasonably reconfigured, as defined in Table 284.2.5 to preserve the grand tree(s) requested for removal, including the recommendation by the natural resources coordinator, or designee;
 - c. Whether the reduction of required setbacks for the primary building(s)/structure(s) as provided in section 27-156 Table 4-2 note 7 will allow relocation of the building(s)/structure(s) sufficient to preserve the grand tree(s) requested for removal;
 - d. Whether alternative construction methods can be utilized to preserve the grand tree(s) requested for removal up to the critical root zone;
 - e. The cost of utilizing any alternative construction methods and the reduction in use and value of the proposed building(s)/structure(s) necessary to save the tree compared to the tree condition shown on the hazard evaluation form; and
 - f. For any removal applications for an accessory building(s)/structure(s) (new construction and/or building additions), the board or commission shall also consider the existing development pattern of similar accessory building(s)/structure(s) in a radius of one thousand three hundred twenty (1,320) feet (one-fourth (¼) of a mile) of the subject property. Only properties that are within the same zoning district and same use type(s) may be considered in making this determination.
- (5) The applicant shall be notified of the decision as provided in section 27-81, and the decision may be appealed in accordance with section 27-61.
- (g) *Tree removal zone (natural resources coordinator).* Grand trees may be removed after application to the natural resources coordinator.
- (1) Applications for grand tree removal within the tree removal zone shall be filed, in association with a building permit, with the natural resources coordinator. Applications shall be submitted on forms provided by natural resources coordinator, and shall include the following information:
- a. A tree survey, as defined in section 27-43. Arborist verification may be performed by the natural resources coordinator, or designee, or other arborist;

- b. A site plan, drawn to-scale, depicting the proposed principal building(s)/structure(s) (new construction and/or building additions), and including:
 - 1. The applicable principal structure setbacks;
 - 2. The tree removal zone (TRZ);
 - 3. The location of the existing protected, specimen, and/or grand trees located on or within twenty (20) feet of the boundary of the parcel, as shown on the tree survey;
 - 4. A graphical depiction of any easements, curb cuts, underground facilities, or other encumbrances that would prevent the shifting of the proposed building(s)/structure(s) on the property.
- (2) The natural resources coordinator, or designee, shall review the application and determine whether the proposed primary building(s)/structure(s) may be placed within the buildable area of the parcel, without any alteration or reconfiguration of the proposed primary building(s)/structure(s), in order to prevent the proposed primary building(s)/structure(s) from encroaching into a fifteen-foot radius of the tree trunk, measured from the outside of the trunk at DBH. The natural resources coordinator, or designee, shall grant a tree removal permit for all trees with the majority of the trunk within the tree removal zone when the proposed primary building(s)/structure(s) cannot be placed within the buildable area without encroaching into the fifteen-foot radius of the grand tree(s).
- (h) *Hazardous grand tree removal (natural resources coordinator).* The applicant ~~shall~~ may complete notice as provided for in section 27-149 with supplemental notice provided per section 27-149(c)(1) (mailed notice). Per section 27-149(c)(3), the applicant ~~shall~~ may file the required affidavit of compliance with the natural resources coordinator. The natural resources coordinator, or designee, shall grant or deny the application within fifteen (15) working days of the filing of the affidavit of compliance. The decision may be appealed in accordance with section 27-61. The natural resources coordinator, or designee, may waive notice requirements based if the tree has a high risk of failure resulting in significant consequences.
- (i) *Reporting.*
 - (1) ~~*Semi-annual impact report.*~~ Natural Resources shall present a report to Tampa City Council evaluating the impact of the TRZ process on Tampa's grand trees every ~~six (6)~~ twelve (12) months, with the first report due six (6) months after May 1, 2019. At a minimum, the report will include: the number of applications acted upon by the Variance Review Board (VRB) to remove grand trees by month for the ~~twelve (12)~~ eighteen (18) months preceding and ~~every month after May 1, 2019,~~ including the number of grand trees granted and denied a permit to remove including size ~~and,~~ species ~~and location~~ of each tree, ~~and the grand trees removed including size, species, and location of each tree;~~ and the number of applications acted upon by natural resources to remove grand trees by month through the TRZ process, including the number of trees granted and denied a permit for removal including size, species and location of each tree, and the number of grand trees removed including size, species, and location of each tree.
 - (2) ~~*Quarterly report.*~~ The natural resources coordinator, or designee, ~~on a quarterly basis, shall mail or email a copy of the list of approved applications to remove non-hazardous grand trees under the TRZ process to all organizations requesting such information and post same on their website. At a minimum, the list will specify the size, species and location of the tree(s) and date of approval of the removal permit.~~
 - (3) ~~*Monthly report.*~~ The natural resources coordinator, or designee, ~~on a monthly basis, shall submit a report summarizing date of removal and the size, location and species of non-hazardous grand trees removed pursuant to an administratively approved permit application under the TRZ process to remove a grand tree to city council and post the same on the natural resources public website.~~

(Ord. No. 2019-54, § 3(Exh. A), 4-18-2019)

Sec. 27-284.3.1. - Landscape and tree planting standards; tree preservation (retention) standards.

Table 284.3.1 Tree Preservation (Retention) Requirements			
Type of Land [1]	Use Type [1]	Minimum Retention Requirement [2-5]	Conditions
PROTECTED TREES			
Within Boundaries [1]: Central Business District (CBD) Channel District (CD) Ybor City (YC-1)	Any	---	Standard tree mitigation required [6] Exclusive of wetlands [7]
Non-wooded [1]	Any	50%	
Wooded [1]	Single-family (any type) Two-family	50%	
	Multi-family	40%	
	Non-residential	25%	
Lands <= one (1) acre	Any	[2]	
GRAND TREES			
Any	Any	100%	
Notes:			
[1] Refer to section 27-43 for defined terms; sections 27-181 through 185.3 for Central Business District; sections 27-196 through 27-206 for Channel District; sections 27-176 through 27-178 for Ybor City.			
[2] Any application that does not meet the minimum retention percentage shall be subject to the approval of the applicable city variance board or city council through the site plan rezoning process.			
[3] On site trees to be preserved/retained shall be those that are in the best health and structural condition (rated "excellent" and/or "good" only - refer to section 27-284.1.1(c)), subject to the review criteria set forth in Tables 284.2.4 and 284.2.5.			
[4] Minimum retention percentages are based on total count of protected and grand trees on site. Any protected palm species counts towards the minimum retention requirement, at a ratio of 1:1 (1 palm = 1 tree), for no more than seventy-five (75) percent of the required retention percentage. No credit shall be given for off-site trees, right-of-way trees, or dangerous/dead, exempt, invasive, or noxious species (refer to section 27-284.1.2(d)), species that are unsuitable for Tampa's climate zones, and species in the lowest category of wind resistance shall not be included in the retention percentage calculations.			

Commented [SS1]: Based on Table 1 of the City of Tampa Tree Canopy and Urban Forest Analysis 2016

[5] Minimum retention percentages shall not apply in cases where there are not an adequate number of onsite trees, which are determined to be in "excellent" or "good" (i.e. "A" or "B") condition based on city's standard tree condition evaluation method (refer to section 27-284.1.1 and the Technical Manual), to achieve said percentages. For the purposes of this section "adequate number" shall be 25 trees per acre.

[6] Refer to section 27-284.4 and 27-284.4.1 for tree mitigation requirements.

[7] Trees within the jurisdictional wetland boundary shall not count towards the minimum retention requirement. Trees within a wetland setback or buffer may be counted toward minimum retention requirement (refer to notes [3] and [4] above regarding tree condition and palms).

Commented [SS2]: This is based on Figure 14 of the City of Tampa Tree Canopy and Urban Forest Analysis 2016

(Ord. No. 2019-54, § 33(Exh. A), 4-18-2019)

Sec. 27-284.3.3. - Landscaped area and tree planting requirements.

(a) *Buffers and screening between specific use types.* In order to reduce the impacts of a new or expanded use of land on adjacent existing uses, which are of a significantly different character, certain buffering and screening shall be required, as set forth in Table 284.3.3, under "Buffer/Screen," below.

- (1) A buffer consists of a horizontal distance from a property line, which shall only be occupied by permitted screening, drainage (stormwater) areas, utilities (excluding solid waste storage facilities) and landscaping materials.
- (2) Compliance with Buffer/Screen (Table 284.3.3 - A.4, B.4, C.4) is required in all cases of new construction, change of use, or expansion of use or structure, subject to the following exceptions:
 - a. Addition to an existing structure, which increases the intensity of, or is a change of use, which is less than or equal to five hundred (500) square feet or five (5) percent, whichever is less. This exemption may be exercised only once during the life of the building.
 - b. In cases where an addition or change of use exceeds five hundred (500) square feet or five (5) percent, and where a fifteen-foot buffer would now be required, the buffer may include the loading area, only when no alternative location exists. In such cases, the six-foot high masonry wall is required.
- (3) Alternative design exceptions to the applicable "Buffer/Screen" standards set forth in Table 284.3.3 (A.4, B.4, C.4) below, may be considered by the designated reviewing official, pursuant to section 27-60.

(b) *Landscaped area.* The following minimum amount of landscaped area and recommended trees shall be required for the following land uses:

SEE TABLE IN SEPARATE FILE