

**Exhibit A: Text Amendment Summary Sheet
Amendment 23-1**

Section

27-149 “Public Notice in the Event of an Emergency Declaration”

Amendment Cycle

January 2023

Originator & Contact Information

Eric Cotton, Zoning Administrator
eric.cotton@tampagov.net 813-274-7510

Purpose and Background

During Hurricane Ian, Council was required to convene a public hearing to continue cases because they could not be automatically continued to a subsequent date without Council action. Staff is proposing to provide the Zoning Administrator with the authority to administratively continue cases to the next available public hearing during a locally-designated state of emergency.

Policy Objective & Interpretation

Amend 27-149 to allow for continuation of hearings in the event of a public emergency (public health, hurricane, etc.).

Public Involvement and Meeting Summary

A virtual public information meeting for this item was held on March 21, 2023 at 6:00 pm.

There were 19 attendees.

A recording of the meeting, presentation PDF file and registration list can be found here:

<https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

There were no questions or discussion on this proposed amendment.

**Exhibit B: Text Amendment Summary Sheet
Amendment 23-2**

Section

27-149 “Public notice requirements for land development decisions and text amendments to the Land Development Code”

Amendment Cycle

January 2023

Originator & Contact Information

Eric Cotton, Zoning Administrator
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Purpose and Background

This request was submitted from a member of the public.

Policy Objective & Interpretation

An amendment to require the record/application number to be placed on the mailed and posted public notices. This will increase transparency in the public notice process.

Public Involvement and Meeting Summary

A virtual public information meeting for this item was held on March 21, 2023 at 6:00 pm.

There were 19 attendees.

A recording of the meeting, presentation PDF file and registration list can be found here:

<https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

There were no questions or discussion on this proposed amendment.

**Exhibit C: Text Amendment Summary Sheet
Amendment 23-3**

Section

27-211.6 “Development Standards – Seminole Heights Commercial General (SH-CG) and Seminole Heights Commercial Intensive (SH-CI)

Amendment Cycle

January 2023

Originator & Contact Information

Eric Cotton, Zoning Administrator
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Purpose and Background

This amendment corrects a scrivener's error.

Policy Objective & Interpretation

Amend “55 stories” to “55 feet” in SH-CG and SH-CI commercial districts.

Public Involvement and Meeting Summary

A virtual public information meeting for this item was held on March 21, 2023 at 6:00 pm. There were 19 attendees.

A recording of the meeting, presentation PDF file and registration list can be found here:

<https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

There were no questions or discussion on this proposed amendment.

**Exhibit D: Text Amendment Summary Sheet
Amendment 23-4**

Section(s)

27-290.1 “Fence Height in Residential Zoning Districts”

Amendment Cycle

January 2023

Originator & Contact Information

Eric Cotton, Zoning Administrator
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Purpose and Background

Staff is proposing this request to provide equity across both commercial and residential uses in the maximum height of fence along the same fence line. The maximum fence height for commercial properties currently is set at 8', but 6' for residential properties.

Policy Objective & Interpretation

Amend fence height for residential properties when abutting commercial districts. This would allow either the residential or commercial property to build an 8' fence on the property line between the residential and commercial property.

Public Involvement and Meeting Summary

A virtual public information meeting for this item was held on March 21, 2023 at 6:00 pm.
There were 19 attendees.

A recording of the meeting, presentation PDF file and registration list can be found here:

<https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

Questions and answers from the public meetings are below:

Q: Does the fence height change apply to the entire residential lot?

A: The fence height change only applies to the portion of the fence along the lot line(s) that is abutting a commercial use.

Other comments: There should be consideration given to allowing a higher fence height for single family homes adjacent to high density residential uses. Also, in some parts of the city, new base flood elevations requirements are resulting in new homes being built much higher than existing surrounding homes, so there may be more requests to increase fence heights. *These suggestions will be taken into consideration by the Zoning Administrator in future amendment cycles.*

Exhibit E: Text Amendment Summary Sheet Amendment 23-5

Section(s)

27-43, 27-256, 27-211 “Adaptive Reuse”

Amendment Cycle

January 2023

Originator & Contact Information

Eric Cotton, Zoning Administrator
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Purpose and Background

Adaptive reuse is established in the LDC to permit historically designated structures to change uses to residential, office or commercial without triggering a change of use request. Adaptive reuse is only permitted in the Ybor City Special Districts. The city periodically receives requests for consideration of adaptive reuse projects for historically designated properties that are outside of Ybor. Adaptive reuse projects do not have to meet current height, setback, landscape and parking standards because the intent of the designation is to facilitate and promote active use of underutilized historic structures throughout the city. Applicants seeking to make physical changes to the structure may require review by ARC/BLC.

Policy Objective & Interpretation

Allow for adaptive reuse in the general zoning districts and in the Seminole Heights Zoning District. Adaptive reuse would be permitted only in the nonresidential zoning districts.

Public Involvement and Meeting Summary

A virtual public information meeting for this item was held on March 21, 2023 at 6:00 pm.

There were 19 attendees.

The Registration List can be found here: <https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

Questions and answers from the public meetings are below:

Q: Can you explain the change of use process?

A: A change of use occurs when the use of the building changes, for example from residential to office. Building code and life safety requirements are still required for all interior renovations, but adaptive re-use would provide relief from zoning requirements for the existing historic building such as parking, setbacks, green space, etc. Existing historic structures are typically in compact traditional areas and on constrained sites that cannot meet modern zoning requirements.

Q: What are “contributing structures” and where can that information be found?

A: Landmarks List: <https://www.tampa.gov/historic-preservation/info/historic-preservation-designations>

Local Historic District Maps (with contributing structures): <https://www.tampa.gov/historic-preservation/info/district-maps>

Exhibit F: Text Amendment Summary Sheet Amendment 23-6

Section(s)

27-43 “Miscellaneous” Definition for Courtyard.

Amendment Cycle

January 2023

Originator & Contact Information

Eric Cotton, Zoning Administrator
eric.cotton@tampagov.net 813-274-7510

Purpose and Background

Certain specified uses and overlay districts include design criteria that provides direction as to the desired orientation of entrances to residential units relative to courtyards, plazas and other similar design elements. Staff has identified a need to clarify the definition of a courtyard to ensure consistent and predictable interpretation of this design criteria. Defined in 27-211.10 as a frontage type, but not in other sections of the Code. Courtyards are referenced in the overlay districts and specific uses section.

Policy Objective & Interpretation

Establish definition for "courtyard."

Public Involvement and Meeting Summary

The virtual public information meeting for this item was held on March 23, 2023 at 6:00 pm.

There were 7 attendees.

The Registration List can be found here: <https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

Questions and answers from the public meeting are below:

1. Q: Will a Design Exception still be required to allow doors to face a courtyard instead of the street?
A: Yes, a Design Exception would still be required.

2. Q: This proposed amendment references “single zoning lot.” How would the definition be applied on a project that is made up of multiple zoning lots?
A: The term zoning lot refers to all of the parcels that make up a single site for zoning purposes. For example, a PD made up of several individual parcels would be treated as a “single zoning lot” during the rezoning process.

**Exhibit G: Text Amendment Summary Sheet
Amendment 23-7**

Section(s)

27-288 "Solid Waste"

Amendment Cycle

January 2023

Originator & Contact Information

McLane Evans, Assistant City Attorney

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Purpose and Background

The Solid Waste Department is requesting changes to Section 27-288 of City Code to clear up some ambiguities that seem to be creating confusion with customers and to adjust corral (a.k.a. enclosure) dimensions to better accommodate the City's equipment.

Policy Objective & Interpretation

Expanding the Sec. 27-288(c)(2) dumpster corral gate width requirement from ten feet to twelve feet.

Public Involvement and Meeting Summary

A virtual public information meeting for this item was held on March 21, 2023 at 6:00 pm.

There were 19 attendees.

The Registration List can be found here: <https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

There were no questions or discussion on this proposed amendment.

Exhibit H: Text Amendment Summary Sheet Amendment 23-8

Section(s)

27-238 “Westshore Overlay”

Originator & Contact Information

Andy Mikulski, Senior Planning Coordinator
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Purpose and Background

This request was submitted to the Zoning Administrator by the Westshore Alliance. The purpose of this request is to update the Westshore Overlay District and clarify existing language based on recommendations from the Westshore Alliance.

Policy Objective & Interpretation

This amendment is making several updates to the Westshore Overlay, including expanding the street type categories, parking standards, incorporating bicycle treatments, clarifying buffer requirements, exempting single family homes from Overlay requirements, and amending open space requirements.

Public Involvement and Meeting Summary

The virtual public information meeting for this item is scheduled on March 21, 2023 at 6:30 pm.
The Registration List can be found here: <https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

Questions and answers from the public meetings will be summarized in a future staff report.

Q: Does this planter proposal allow or encourage smaller setbacks on the entire overlay?

A: The overlay setbacks will remain unchanged, however the code update clarifies that the trees are required if there is at least a six foot buffer.

Q: Do the Westshore Overlay changes address the existing special street setbacks?

A: No, but the city Mobility department is looking to finalize the citywide Mobility Plan (Tampa MOVES) and will reexamine the current special street setbacks when that plan is finalized.

Q: How are plantings handled under overhead wires?

A: Natural Resources staff will work with the applicant to determine if there is an acceptable street tree species to accommodate overhead wires if the tree species required by the Westshore Overlay are not feasible.

Q: Can maneuvering in the Right of Way be extended to other areas for parking?

A: Maneuvering is only used on non-residential streets for loading berths and solid waste operations.

Q: Why are palm trees that are relocated on-site being considered retained?

A: The current code does not give any credit for palm trees that are relocated on site. The code amendment creates an incentive to relocate palms elsewhere on site and install shade trees in their place, especially along rights of way

where there is a substantial public benefit. The current code incentivizes leaving palm trees in place, which disincentivizes the transition to streetscapes with shade trees.

Q: With the residential parking requirement being reduced to one parking space per unit, will that result in negative impacts in the surrounding neighborhoods?

A: The reduced parking requirements do not apply to parcels that are adjacent to or across from parcels currently zoned or used as single family residential. There will also be a visitor space requirement for multifamily development at a rate of 0.25 spaces per unit, matching the off-street parking requirements in Sec 27-283.7 which applies to most of the city.

**Exhibit I: Text Amendment Summary Sheet
Amendment 23-9**

Section(s)

27-283 “Access, Parking, and Loading” – Electric Vehicle Charging

Originator & Contact Information

Eric Cotton, Zoning Administrator
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Purpose and Background

This was a City Council motion from a previous workshop that instructed staff to develop regulations that will allow the city to have the required infrastructure installed at new development but allow the market to control the installation of the actual chargers.

Policy Objective & Interpretation

Amend the code to include definition or “EV Capable” and “EV Installed.” Consider including requirements for new development with over 50 parking spaces to require 5% of the project spaces to be “EV Capable.”

Public Involvement and Meeting Summary

A virtual public information meeting for this item was held on March 21, 2023 at 6:00 pm.

There were 19 attendees.

The Registration List can be found here: <https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

Questions and answers from the public meetings are provided below:

1. Q: Does this require the developer to install the electric vehicle charger?
A: No, this only requires developments to install the electrical connection with the appropriate capacity for a future charger installation. Providing the charger is optional and may be done initially or in the future commensurate with market demand. This only applies to developments with 50 spaces or more.

**Exhibit J: Text Amendment Summary Sheet
Amendment 23-10**

Section(s)

27-60 “Public Notice for Design Exceptions”

Originator & Contact Information

City Council Motion on March 3, 2023 - File No. E2028-8 CH 27

Purpose and Background

The purpose of this amendment is to require public notice for all design exceptions, including but not limited to fence height, shared parking, off-site parking, overlay standards, signage, buffer reductions, reverse fence framing and front yard averaging for setbacks. Public notice means mailed notice to surrounding property owners, mailed notice to participating organizations (Good Neighbor Notice), and posted notice at the site, more specifically described in Sec. 27-149.

Policy Objective & Interpretation

Staff processed an amendment to the Code to require notice for design exceptions for setbacks in the July 2022 Text Amendment cycle. On March 3, 2023, City Council directed staff to initiate a new amendment to require all design exceptions, if feasible, processed through the Design Exception (DE) process. Staff was directed to review the list of design exceptions with the community and generate ideas.

Public Involvement and Meeting Summary

A virtual public information meeting for this item was held on March 20, 2023 at 6:00 pm.

There were 18 attendees.

The Registration List can be found here: <https://www.tampa.gov/city-planning/code-amendments>

Questions and Answers

1. Q: Why was this brought forward?

A: The public has expressed to Council a desire for more awareness around design exceptions. City Council asked staff to engage with the public to and get input on what types of DE’s should be noticed.

2. Q: How many design exceptions are submitted per year?

A: In 2022, roughly 280 design exceptions were processed by staff. Seven (7) of these filed for petition for review. In 2021, there were 295, and nine (9) of those filed for petitions for review. In all petitions, the applicant was the property owner who had their design exception request denied by the Zoning Administrator.

3. Q: Are all Design Exception 1's in an Overlay district, and are all Design Exception 2's outside the Overlay districts?

A: No, Design Exception 1's are for setbacks are in Overlays and Special Districts. Design Exception 2's are for setbacks everywhere else in the city.

Q: How will the new amendment affect Design Exceptions for signage?

A: It may not be appropriate for signage requests to require public notice, but this public meeting is meant to figure out which items should require public notice.

Other comments:

- Many times, people aren't aware of a Design Exception until the work is underway.
- We are concerned that issues with just one or two types of Design Exception requests will now create an additional burden for the applicants on hundreds of other Design Exception requests.
- Just because a project is publicly noticed does not mean there will be a petition for review, although it is possible.
- Potential for increased cost associated with noticing requirements.
- Increase in required review time may cause some people just to do the work instead of following the noticing process.
- Instead of requiring full public notice, I suggest all DEs should only require one Good Neighbor Notice going to the President of the association associated with the project and the notification by yard sign. Two signs should be posted if the site is on a corner and one sign should be posted if in the middle of the block. The sign will include space for the DE # and a link to Accela and possibly the QR code where folks can look up the details.

Staff Recommendation:

As a result of the discussions during the public meeting on March 20, 2023, staff recommends this amendment be continued to the June 2023 Text Amendment cycle. Due to the discussion focusing on the types of notice, rather than the types of design exceptions to be noticed, this continuance would allow for this matter to be more appropriately addressed as part of a pending motion to modify the Good Neighbor Notice procedures.

Reference: June 22, 2023 City Council Workshop, File No. CM23-80761 *Staff to present recommendations for modifications to the Good Neighbor Notice.* (Original motion initiated by Gudes-Hurtak on March 16, 2023).

No text amendment language is offered with this amendment at this time.