

CITY OF ST. PETERSBURG, FLORIDA



As recommended by the  
**STATE HOUSING INITIATIVES  
PARTNERSHIP (SHIP)**  
**AFFORDABLE HOUSING  
ADVISORY COMMITTEE  
(AHAC)**

**Affordable Housing Advisory Committee Report  
To City Council  
SHIP Affordable Housing Incentive Strategies**

December 15, 2022

**(AHAC Public Hearing was held on November 15, 2022)**

PREPARED BY:

Affordable Housing Advisory Committee/

City of St. Petersburg

Housing and Community Development Department

And the

Urban Planning & Historic Preservation Division of  
the Planning and Development Services Department

**AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)  
REPORT TO THE CITY OF ST. PETERSBURG CITY COUNCIL  
December 15, 2022**

**AFFORDABLE HOUSING INCENTIVE STRATEGIES  
AND RECOMMENDED ACTIONS**

The City of St. Petersburg receives State Housing Initiative Partnership (SHIP) Program funding from the State of Florida for use in implementing partnerships to produce and preserve affordable housing. The program is administered by the Florida Housing Finance Corporation (FHFC) statewide. All cities and communities receiving SHIP funds must have appointed an Affordable Housing Advisory Committee (AHAC) in accordance with Florida Statute 420.9076. The AHAC is then asked to review and make recommendations regarding the incentive strategies listed in F. S. 420.9076, recommend any additional incentive strategies identified by the committee, hold a public hearing on the incentives, and submit an incentive summary report to City Council. The report must be submitted to the FHFC prior to December 31<sup>st</sup> annually. City Council is requested to consider the incentives for possible amendment to the SHIP Local Housing Assistance Plan (LHAP).

The current AHAC members were appointed by the Mayor and confirmed by City Council on January 9, 2020, and City Councilmember Brandi Gabbard was added to the AHAC on December 2, 2021. The 2022 AHAC met 7 times during the year. With the help of the combined staff of Planning & Development Services, Transportation and Parking Management, Economic and Workforce Development, Codes Compliance, and the Housing & Community Development Department, the AHAC reviewed and evaluated St. Petersburg's policies, procedures, land development regulations, the Comprehensive Plan, and other aspects of activities locally that impact the production of affordable housing. A report of their recommendations was reviewed during a public hearing on November 15, 2022, where the AHAC discussed the incentive strategies, suggested action items related to each of the incentives, requested public input, and voted on the final recommendations. The resulting report includes recommendations related to the eleven strategies required by the Florida Statute to be reviewed, and the six local incentives that are unique to St. Petersburg, for a total of 17 recommendations.

The attached summary report lists each incentive that was reviewed by the AHAC and provides specific future recommended actions. The recommendations are being presented to City Council on December 15, 2022. The City will then notify the FHFC of its receipt of the AHAC Incentives Recommendations Report. The City will also consider the recommendations for possible amendment to the 2021-2024 Local Housing Assistance Plan (LHAP). The AHAC will then re-evaluate the implementation of the current affordable housing incentives annually.

The City of St. Petersburg would like to thank the Affordable Housing Advisory Committee members for their time and service in the preparation of this plan.

## **AFFORDABLE HOUSING ADVISORY COMMITTEE MEMBERS**

### **APPOINTED 1/09/2020**

1. Mr. Trevor Mallory (Second term expires 1/09/2025)  
Category: areas of labor engaged in home building in connection with affordable housing
2. Mr. Robert V. DePugh (Second term expires 1/09/2025)  
Category: an advocate for low-income persons in connection with affordable housing
3. Mr. Jack D. Humburg (First term expires 1/09/2023)  
Category: not-for profit provider of affordable housing
4. CHAIR: Mr. Scott Macdonald (First term expires 1/09/2023)  
Category: for profit developer who is actively engaged in the development of affordable housing
5. Mr. Frederic Samson (Second term expires 1/09/2025)  
Category: a real estate professional in connection with affordable housing
6. Ms. Jillian Bandes (First term expires 1/09/2023)  
Category: an employer within the City of St. Petersburg category
7. VICE CHAIR: Mr. Kenneth E. Rush (First term expires 1/09/2023)  
Category: residential home building industry in connection with affordable housing

### **APPOINTED 1/06/2022**

8. Councilmember Brandi Gabbard (First term expires 1/09/2025)

**AFFORDABLE HOUSING INCENTIVES**  
**OFFERED BY THE CITY OF ST. PETERSBURG, FLORIDA**

Annual Review by the Affordable Housing Advisory Committee  
(as adopted at 11/15/22 Public Hearing)

	Incentives (Pursuant to Chapter 420, F.S.)	Program Currently In Place		Status & Recommendations
		Yes	No	
1	The processing of approvals of development orders or permits, as defined in S. 163.3164, for affordable housing projects is expedited to a greater degree than other projects	X		2018: Recommended that the City establish a maximum of a 10- business day- time frame for the City to return comments on any affordable housing site plan/permit application.
	2020: Incentive is currently in use. The 10-day time frame for return of initial comments was implemented in January 2019.			<u>2021 Review</u> : Continue Program currently in place. See attached Certification Form #1.
	2022 updates/recommendations	X		<b>AHAC voted to recommend that City staff levels and salaries be increased to support the growing need for affordable and market-rate housing across the City. The Committee also voted to continue the 10-day goal for initial comments on Expedited Permitting Requests of multi-family projects but advocates for a 5-day goal for subsequent comments and a 1-day goal for permit review of single-family and Accessory Dwelling Unit projects.</b>
2	All allowable fee waivers provided for the development or construction of affordable housing	X		2018: Local permit fees were reduced for homes under 1,400 sq.ft. to help promote rehabilitation and new development of affordable single-family homes by ORD. 284-H, effective 7/20/17. However, the largest Fees is a County Fee that is not controlled by the City. 2018 AHAC recommended that the City send a Letter to Pinellas County requesting that Chapter 150, Section 150-40 of the Pinellas County Land Development Code relating to Impact Fees be amended to allow a multimodal impact fee waiver of 100% or a significant reduction of the fee (90%) for affordable housing developments, and if a waiver cannot be granted, request appropriate new categories

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

				for affordable housing development & homeless shelters in both the Schedule A and Schedule B Schedule of Fees.
	2020 Status: The requested letter was sent to County and a new multi-modal fee schedule was subsequently adopted by Pinellas County Ordinance 19-15.			<p><u>2021 Review:</u> Continue Program currently in place for reduced City permit fees and MIF fees that were reduced. See attached Form #2 &amp; schedule of reduced fees allowed for “units restricted to low-income households as a component of affordable housing development incentive programs as certified by the local government”.</p> <p>9/21/21 – AHAC voted to recommend that the MPO and the Board of County Commissioners consider waiving the MIF fee completely for certified low income units.</p> <p>AHAC also voted to recommend that Administration consider a full waiver of water closet fee.</p>
	<b>2022 updates/recommendations</b>	<b>X</b>		<b>AHAC did not vote to amend this incentive in 2022. They expressed continued support for the request from 2021 that the County waive in-full the Multi-modal Impact Fee and for the City to waive water closet fees for certified low-income units.</b>
<b>3</b>	<b>The allowance of flexibility in densities for affordable housing</b>	<b>X</b>		<p>2018: The Committee recommended that the City clarify the Workforce Housing Density Program originally adopted in 2007 to</p> <p>1) Clarify the WFH Density Bonus Ordinance to:</p> <ul style="list-style-type: none"> <li>a. more clearly and fairly address how tenant income increases will be handled over time, and</li> <li>b. modify the income categories to 80%, 100%, and 120% of AMI – removing the 150% AMI category</li> </ul> <p>2) Clarify Chapter 16, regarding the calculation of the “payment in lieu” of WFH option to increase the amount collected &amp; deposited to the Housing Capital Improvement Projects (HCIP) Fund for use in developing more affordable housing units.</p>

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

				<p>3) Research the possibility of implementing an increase to the number of WFH bonus units being awarded that would trigger the public hearing requirement from 12 to 24 WFH bonus units in order to encourage more developers to use the WFH bonus option</p> <p>4) Research the possibility of reducing parking requirements when WFH density bonus units are granted.</p> <p>5) Pursue the “Missing Middle” initiatives in which may bring:</p> <ul style="list-style-type: none"> <li>a. new zoning district (s), and</li> <li>b. the allowance of more 2-12-unit structures which may provide more affordable housing opportunities</li> </ul>
	<p>2020 Status: Items 1-5 have all been brought forward and adopted by City Council. Item 2 increase in the “payment in lieu” option was not approved by City Council, though the Workforce Housing FAR bonus was prioritized. Item 3 was brought forward and adopted to remove the extra public hearing requirement altogether. Item 5 text amendments for the new NTM zoning category have been adopted, Map amendments are underway.</p>			<p><u>2021 review:</u></p> <p>7/20/21 – AHAC voted to support the recommended increase of “payment in lieu” fees from the current 1/4 of 1% of construction cost to 1/2 of 1%.</p> <p>10/19/21 – AHAC voted to support the rezoning (implementation) of the NTM-1 Zoning District (Neighborhood Traditional Multi-Family) to include allowance of 4-unit density within a 1/2 mile of Future Major Streets – and as related to St. Pete’s “Vision 2050” plan</p>
	<b>2022 updates/recommendations</b>	<b>X</b>		<p><b>Workforce Housing Density Bonus:</b> AHAC did not vote to amend this incentive in 2022.</p> <p><b>Payment in Lieu option for Workforce Housing:</b> AHAC acknowledged the adoption of the increase to 1/2 of 1% of construction cost on 12/9/21, but voted to recommend increasing this fee from .5% to 1% of Total Development Costs and for the calculation to be based on International Code Council Building Valuation Data.</p> <p><b>NTM-1 coverage expansion:</b> AHAC did not vote to amend their recommendation from 2021.</p>

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

4	<b>The reservation of infrastructure capacity for housing for very- low income persons, low-income persons, and moderate-income persons</b>		X	2018: The Committee did not recommend a new process or procedure, given the fact that) the City's public facilities, including potable water, sanitary sewer, and roadway levels of service all have excess capacity.
	2020 Status: No change.			<u>2021 Review:</u> Reviewed, but no action recommended due to the City's excess capacity.
	<b>2022 updates/recommendations</b>		X	<b>Reviewed, but no action recommended due to the City's excess capacity.</b>
5	<b>Affordable accessory residential units</b>	X		2018: The City's land development regulations have allowed accessory residential dwelling units in the NT1, NT2 and NT4 districts since 2007 which provides an affordable housing option for residents. However, in 2018 the AHAC committee recommended that the City explore:  1) A reduction of the minimum lot area required for an accessory dwelling unit to be built, based on the City's on-going modeling & research.  2) Allowing accessory residential units in NS zones (Neighborhood Suburban)
	2020 Status: City Council in September of 2019, approved by Ord 385-H to allow ADUs on smaller lots (4500 sq. ft.) within the NT1, NT2 and NT4 districts, which allows for over 9,000 additional lots to qualify for construction of ADUs.			<u>2021 Review:</u> Continue implementation of newly updated and adopted Ordinances related to ADUs. Explore funding sources to pursue the model ADU program and a marketing initiative.
	<b>2022 updates/recommendations</b>	X		<b>AHAC Recommends the City continue implementation of the newly updated and adopted Ordinance expanding ADUs into NT-3 (Neighborhood Traditional) and NS (Neighborhood Suburban) Districts (with certain restrictions) and continue exploration of funding sources to pursue the model ADU program and a marketing initiative.</b>
6	<b>The reduction of parking and setback requirements for affordable housing</b>	X		2018: Recommended staff continue to review appropriate reductions to parking requirements based on land use type and



	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

				geography, e.g. proximity to Future Major Streets, public transit, and relationship to the City's Complete Street initiative.
	2020 Status: The reduction of parking requirements for affordable multi-family housing construction was approved by City Council in 2019 for smaller and affordable units and for units located within proximity (1/8 mile) to high frequency transit routes.			<u>2021 Review:</u> Continue implementation of recently adopted parking incentives for smaller and affordable units.  AHAC on 7/20/21 requested staff to continue to look for additional methods to reduce parking requirements even further.
	<b>2022 updates/recommendations</b>	<b>X</b>		<b>AHAC recommends that the City change the parking waiver criteria for ADUs up to 800 square feet and within a ½ mile of High Frequency Transit Routes, except for all NT-3 Zoning Districts where ¼ of mile of High Frequency Transit Routes shall be the radius.</b>
<b>7</b>	<b>The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing</b>	<b>X</b>		2018: The Committee recommended that the City:1) Explore expansion of this incentive into other zoning districts as part of the upcoming "Missing Middle" study  2) Explore allowing flexibility based on building typology & lot size
	2020 Status: The incentive is currently provided through the use of flexible urban setbacks to encourage affordable housing development. LGCP 2019-02 allows new flexibility and was adopted by City Council 11/14/19.			<u>2021 Review:</u> Recommend that the City consider rezoning (implementation of) the NTM-1 Zoning District (Neighborhood Traditional Multi-Family) to include allowance of 4-unit density within a ½ mile of Future Major Streets – and as related to St. Pete's "Vision 2050" plan.
	<b>2022 updates/recommendations</b>	<b>X</b>		<b>The City of St. Petersburg is initiating a rezoning of qualified properties to NTM-1 (Neighborhood Traditional Mixed Residential). Under this proposed change, single-family houses may expand to include accessory dwelling units (e.g. garage apartments) or be redeveloped up to a maximum four (4) residential units. These units may be developed as rental apartments, townhouses, or condominiums. The City is currently holding outreach and workshops.</b>

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

				Therefore, AHAC did not vote to amend their recommendation from 2021 but acknowledged that the Transit-Oriented Development Zoning around the Sunrunner bus stations may take priority over NTM-1 in some instances.
8	The modification of street requirements for affordable housing		X	2018: The Committee did not recommend any changes to the City's land development regulations pertaining to street standards, however the 2018 AHAC recommended that the City consider the elimination of midblock sidewalk and alley construction requirements for affordable housing developers, based on cost, liability and safety considerations.
	2020 Status: The City no longer requires separate walkway from house to curb when home has a front driveway. In addition, the City adopted a sidewalk reimbursement program within the South St. Petersburg CRA area.	X		<u>2021 Review:</u> Continue implementation of recently adopted incentives related to sidewalks. Request that a "payment in lieu of sidewalk construction" fund/process be established.
	2022 updates/recommendations	X		AHAC did not vote to amend this incentive in 2022, but requests that, if possible, the funds received for the payment in lieu should be used towards affordable housing.
9	The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.	X		2018: The Committee voted to support the continuation of this incentive as written.
	2020 Status: Incentive is currently in use.			<u>2021 Review:</u> Recommend No Change. Continue using the existing Impact Statement, attached form #3.
	2022 updates/recommendations	X		AHAC did not vote to amend this incentive in 2022.
10	The preparation of a printed inventory of locally owned public lands suitable for affordable housing.	X		2018: The Committee asked for revisions to the City's webpage to show the listing of lands available suitable for development of affordable housing.

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

	2020 Status: Incentive is currently in use.			<u>2021 Review:</u> Continue listing available properties on the Website and taking foreclosure lots to City Council to approve including them into the Affordable Lot Disposition Program.
	<b>2022 updates/recommendations</b>	<b>X</b>		<b>AHAC did not vote to amend this incentive in 2022.</b>
<b>11</b>	<b>The support of development near transportation hubs and major employment centers and mixed –use developments</b>	<b>X</b>		2018: The Committee voted to Request that the City: 1) Continue Existing Policies which support development near Activity Centers, PSTA network, and the Central Ave BRT 2) Consider future reductions of minimum parking standards as a result of more development near transportation hubs (by land use type/ by geography) 3) Consider creation of additional Activity Centers or new Activity Center categories
	2020 Status: This incentive is currently being implemented as the City's land development regulations encourages mixed-use, higher-density development that is concentrated along major corridors, the Pinellas Suncoast Transit Authority network, the Central Avenue Bus Rapid Transit route, and within six designed activity centers. In August 2019 City Council approved the reductions of minimum parking standards when a development is located within 1/8 mile of a high frequency transit route. A study of the Central Avenue BRT corridor is underway, CABRT-TOD Study.			<u>2021 Review:</u> Support implementation of the newly adopted higher density and reduced parking standards for development that is located close to high frequency transit routes. Implement changes as part of StPete2050 updates, including BRT station area and corridor plans
	<b>2022 updates/recommendations</b>	<b>X</b>		<b>AHAC did not vote to amend this incentive in 2022. AHAC did acknowledge the ongoing work around the Transit-Oriented Development related to the Sunrunner bus stations which calls for an NT-mixed residential map amendment and a recommendation of a possible increases to the density</b>

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

				allowances in the existing mixed use corridor zoning categories.
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<b>ADDITIONAL INCENTIVES OFFERED IN THE CITY OF ST. PETERSBURG</b>				
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12	The waving of special assessment fees in return for the creation of affordable housing	X		2018: The Committee voted to support the continuation of this incentive program as written. 1) Keeping the existing “option D” to waive special assessments for the construction of a new single-family unit on lot previously considered “upside down” for development purposes 2) Implementing the new/proposed Code Foreclosure- Affordable Lot Disposition Program to provide lots at a reduced amount in return for the production of an affordable housing unit.
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	2020 Status: Option D is still in use and the new Affordable Lot Disposition Program is underway to help create new affordable housing units.			<u>2021 Review:</u> Support continuation of the existing Option D Special Assessment and the Affordable Lot Disposition programs.
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	2022 updates/recommendations	X		<b>AHAC did not vote to amend this incentive in 2022.</b>
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13	The identification of existing sources that can be made available to affordable housing developers to aid in locating eligible home buyers and renters for newly constructed affordable housing units	X		2018: Recommend that the City: 1) Remove the words “Newly Constructed” from Incentive #13 2) Pursue a slight modification to the City’s Housing Web Page suggested to add a tab for Developers.
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	2020 Status: Incentive in use.			<u>2021 Review:</u> Continue to promote programs to assist affordable housing developers and provide information on the City’s Housing Webpage under the “Developer” tab.
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	2022 updates/recommendations	X		<b>AHAC did not vote to amend this incentive in 2022 as there now exists a</b>
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	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

				<b>“Developer” tab on the City’s website with information on all relevant incentives and other resources.</b>
<b>14</b>	<b>The Rebates for Residential Rehabs Program</b>	<b>X</b>		2018: The Committee voted to encourage City Council to fully fund the Rebates for Residential Rehabs program up to at least \$200,000 annually.
	2020 Status: City has established an Affordable Rebates for Residential Rehabilitation Program within the South St Petersburg CRA.			<u>2021 Review:</u> Support the continuation of the Affordable Rebate for Residential Rehabilitation Program within the South St Pete CRA
	<b>2022 updates/recommendations</b>	<b>X</b>		<b>In 2022 AHAC supports the local Rebates for Residential Rehabilitation programs (affordable within the South St Pete CRA) and request consideration of implementation &amp; funding of an affordable rebate program city-wide).</b>
<b>15</b>	<b>The creation of a web page link to provide public access to all of the Affordable Housing Incentives approved by the Committee</b>	<b>X</b>		2018: Recommended 1) Improving the ability to Search for the existing Incentives on the City’s web page. 2) Adding a direct web link to the Incentive Plan document, possibly under the new Developer tab and on the main Housing Web page.
	2020 Status: “Developer Incentives” and “Incentive Plan” both have links on the Housing & Community Development webpage			<u>2021 Review:</u> Continue to provide this information on the City’s webpage.
	<b>2022 updates/recommendations</b>	<b>X</b>		<b>AHAC did not vote to amend this incentive in 2022 as the AHIP is available on the Developer tab.</b>
<b>16</b>	<b>Penny for Pinellas funding for Affordable Housing Land Acquisition</b>  <b>This is included in the 2020 Penny Budget</b>	<b>X</b>		Voters in Pinellas passed this initiative in November 2017. In 2018, the AHAC recommended that the City:  1) Ask for clarification of the State Surtax Statute regarding its use for the construction

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

				<p>of affordable housing units, as opposed to its use solely for land acquisition.</p> <p>2) Ask for clarification regarding the possible use of any Program Income generated from Lease Payments on land originally acquired using Penny money to allow the PI to be kept in a local affordable housing fund for possible construction funding of additional affordable housing units.</p>
	2020 Status: An interlocal Agreement with the PCHFA has been drafted and will be presented to City Council in the near future			<p><u>2021 Review:</u> Continue implementation of the Penny for Pinellas Land Acquisition for Affordable Housing Fund.</p>
	<b>2022 updates/recommendations</b>	<b>X</b>		<p><b>Staff noted that the first land purchase using Penny for Pinellas funding occurred in 2022 for the Bear Creek Commons project. AHAC requests that the City continue to provide City Penny for Pinellas funding for Affordable Housing Land Acquisition and encourage Pinellas County to consider a land bank program and an acquisition/rehabilitation program as possible additional uses for their Penny for Pinellas Land Assembly funds.</b></p>
17.	<b>Create a process for City Council to review affordable housing options on industrial, commercial, and residentially zoned land in accordance with the statutory changes adopted under HB1339 in July 2020.</b>	<b>X(2020)</b>		<p>2020: New</p>
	2020 Status: AHAC recommends that City Council establish a process that allows the flexibility intended in the HB to be provided			<p><u>2021 Review:</u> AHAC voted on 6/15/21 to endorse the proposed Ordinance implementing a process for HB 1339 affordable housing developments, but also request that the IT and IS district minimums be reduced to mirror the minimums proposed for the NT and NS districts (1 acre in size and a minimum of 20 units) and that the distance to a school be 2 miles for the IT and IS zoning districts. Public Hearing set for 10/14/21.</p> <p>On 10/14/21, City Council approved Ordinances 486-H and 485-H providing a</p>

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
		Yes	No	

				process for City Council to review and potentially approve affordable housing developments in the Neighborhood Suburban, Neighborhood Traditional, Industrial Suburban and Industrial Traditional zoning districts. (adopted Ordinances attached as Form #4)
	2022 updates/recommendations	X		In 2022 AHAC recommends that the City establish a process for the review and monitoring of implementation of HB-1339 and the new SB 962 process adopted by Ord #520-H on 9/15/22, providing flexibility of land uses for affordable housing development purposes and explore opportunities for increased applicability.

## **Appendix I**

### **Attachments to AHAC Incentives Chart**



# ATTACHMENTS TO AHAC INCENTIVES CHART

## FORM #1

### EXPEDITED PERMITTING



**CERTIFICATION**  
**OF AFFORDABLE/WORKFORCE HOUSING**  
**FOR THE EXPEDITED PERMIT PROCESSING PROGRAM**  
**OR FOR CITY CODE CHAPTER 16 PARKING AND DESIGN**  
**STANDARD INCENTIVES**

The City of St. Petersburg Planning and Development Services, Fire and Engineering Departments have all agreed to an expedited permit processing system for affordable/workforce housing developments that will provide a **10-day response time on the initial plan review**. The Expedited Permit Processing Program utilizes a streamlined review process to provide a financial savings for affordable housing developers. In addition, the City has recently amended Chapter 16 of the City Code to allow for reduced parking or reduced design requirements for certified/workforce housing developments. To determine if your application meets the definition of affordable/workforce housing for purposes of processing under this program, we need to ask a few questions. Please complete this form and submit it with the required attachments to:

City of St Petersburg  
Housing and Community Development (HCD) Department  
Attn: Mr. Joshua Johnson, Director  
PO Box 2842, St. Petersburg, FL 33731-2842

**Please attach a copy of:**

- Aerial & Site Plan
- Sample of the restrictive covenant that will be placed upon the property.  
EVIDENCE THAT THE RESTRICTIONS HAVE BEEN RECORDED  
IN PINELLAS COUNTY PUBLIC RECORDS MUST BE  
PRODUCED PRIOR TO THE BUILDING PERMIT BEING ISSUED.  
Note: Duration of the Restrictions for new construction of multifamily =  
minimum of 20 years and 5 years for single family.

**Section 1: Development Location, Zoning, and Ownership Information**

1. Please provide an accurate description of the property:

Development Name: \_\_\_\_\_

Address: \_\_\_\_\_

County Parcel Identification Number: \_\_\_\_\_

Legal Description: \_\_\_\_\_

\_\_\_\_\_

2. Please state the current land use and zoning district designations for the property:

Land Use: \_\_\_\_\_

Zoning: \_\_\_\_\_

3. Name, address, phone number and e-mail of Developer/Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name, address, phone number, and e-mail of current land owner, if not the same as Developer/Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of Property Owner: \_\_\_\_\_

4. Will the project be developed in phases? YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, please provide a phasing plan identifying the number of Affordable/ Workforce Units by income designation in each phase.

## Section 2: Eligibility

Please place a check mark in the appropriate category below to indicate how your development is eligible for the Expedited Permit Processing Program:

- A. The proposed Residential or Mixed-Use Development has been **approved for a Workforce Housing Density/ Intensity Bonus** and prior to issuance of the building permit, a Restrictive Covenant will be recorded in the Official Record Books of Pinellas County.
- B. The proposed Residential Development is being **funded by the City of St. Petersburg's Housing & Community Development Department** to produce or renovate housing where at least 50% of the units are affordable to households with incomes at or below 120% Area Median Income (AMI) as adjusted by household (HH) size and restrictive covenants will be recorded on the property.
- C. The proposed Residential or Mixed-Use Development is a **Public/Private partnership (City or County)** or is located on City owned property, at least 50% of the total units produced or renovated will be restricted to households with incomes at or below 120% AMI, rents or sales prices will be affordable, and restrictive covenants will be recorded on the property.

- ☐ **D.** The proposed Residential Development is **receiving Federal or State Funding** to produce or renovate housing where at least 50% of the units are affordable to households with incomes at or below 80% AMI and restrictive covenants will be recorded on the property.
- ☐ **E.** The proposed single-family new construction will be affordable and sold to households with incomes at or below 120% AMI and **restrictive covenants** will be recorded on the property. Please complete the following tables to provide information regarding unit affordability.

**TABLE I. TOTAL Number of Units Proposed for the Development (including the affordable and workforce units affordable to households at or below 80% AMI or 120% AMI)**

<u>Type of Unit</u>	<u>Rental</u>	<u>Owner_Occupied (units for sale)</u>
Efficiency	_____	_____
1 Bedroom	_____	_____
2 Bedroom	_____	_____
3 Bedroom	_____	_____
4 Bedroom	_____	_____
<b>TOTAL Units</b>	_____	_____
<b>Number of above Units for 80% AMI or below HH</b>	_____	_____
<b>Number of above Units for 120% AMI or below HH</b>	_____	_____

**TABLE II. Rent or Proposed Sales Price for the 80% AMI Units**

	<u>Rental</u>	<u>Proposed Rent*</u>	<u>Owner Occupied**</u>	<u>Proposed Sales Price</u>
Efficiency	_____	_____	_____	_____
1 Bedroom	_____	_____	_____	_____
2 Bedroom	_____	_____	_____	_____
3 Bedroom	_____	_____	_____	_____
4 Bedroom	_____	_____	_____	_____
<b>TOTAL</b>	_____	_____	_____	_____

**TABLE III. Rent or Proposed Sales Price for the 80.01 to 120% AMI Units**

	<u>Rental</u>	<u>Proposed Rent*</u>	<u>Owner Occupied**</u>	<u>Proposed Sales Price</u>
Efficiency	_____	_____	_____	_____
1 Bedroom	_____	_____	_____	_____
2 Bedroom	_____	_____	_____	_____
3 Bedroom	_____	_____	_____	_____
4 Bedroom	_____	_____	_____	_____
<b>TOTAL</b>	_____	_____	_____	_____

**\*A** The Current Florida Housing Finance Corporations Rent and Income Chart is attached, please ensure that proposed rents are within the published levels for 80% and 120% AMI.

**\*\*B** Please refer to the attached Home Purchase Affordability Charts to find the Maximum Sales Prices for 80% AMI & 120% AMI Households.

### **Section 3: Commitment and Certification**

I acknowledge that I am voluntarily developing affordable units on the property identified in Section 1 and have truthfully provided the information in Sections 1 and 2 to demonstrate that the proposed development will meet the criteria to qualify for the City's Affordable Housing Expedited Permit Processing Program or for the reduced parking or design standard allowed under Chapter 16 of the City Code.

Penalty for False or Fraudulent Statement:

Under Florida law, including but not limited to Chapter 817, Florida Statutes, fraud is both a tort and a crime and may be punishable as a felony.

Signature of Developer/Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of authorized signatory: \_\_\_\_\_

Once this Certification of Affordable/Workforce Housing Development form is signed by the Director of Housing & Community Development, the applicant is eligible to check the "Affordable Housing" box on the Development Services Permit Application Form and qualifies for the Expedited Permit Processing Program for Affordable Housing.

City of St. Petersburg, Florida:

By: \_\_\_\_\_

Date: \_\_\_\_\_

Joshua A. Johnson, Director  
Housing & Community Development  
00414721

HUD release: 4/18/2022

Effective: 4/18/2022

**2022 Income Limits and Rent Limits  
Florida Housing Finance Corporation  
SHIP and HHRP Programs**

County (Metro)	Percentage Category	Income Limit by Number of Persons in Household										Rent Limit by Number of Bedrooms in Unit					
		1	2	3	4	5	6	7	8	9	10	0	1	2	3	4	5
<b>Orange County</b> (Orlando-Kissimmee-Sanford MSA) Median: 80,100	30%	17,400	19,900	23,030	27,750	32,470	37,190	41,910	46,630	Refer to HUD		435	466	575	752	929	1,106
	50%	29,050	33,200	37,350	41,450	44,800	48,100	51,400	54,750	58,030	61,346	726	778	933	1,078	1,202	1,326
	80%	46,450	53,050	59,700	66,300	71,650	76,950	82,250	87,550	92,848	98,154	1,161	1,243	1,492	1,724	1,923	2,122
	120%	69,720	79,680	89,640	99,480	107,520	115,440	123,360	131,400	139,272	147,230	1,743	1,867	2,241	2,587	2,886	3,184
	140%	81,340	92,960	104,580	116,060	125,440	134,680	143,920	153,300	162,484	171,769	2,033	2,178	2,614	3,018	3,367	3,715
<b>Osceola County</b> (Orlando-Kissimmee-Sanford MSA) Median: 80,100	30%	17,400	19,900	23,030	27,750	32,470	37,190	41,910	46,630	Refer to HUD		435	466	575	752	929	1,106
	50%	29,050	33,200	37,350	41,450	44,800	48,100	51,400	54,750	58,030	61,346	726	778	933	1,078	1,202	1,326
	80%	46,450	53,050	59,700	66,300	71,650	76,950	82,250	87,550	92,848	98,154	1,161	1,243	1,492	1,724	1,923	2,122
	120%	69,720	79,680	89,640	99,480	107,520	115,440	123,360	131,400	139,272	147,230	1,743	1,867	2,241	2,587	2,886	3,184
	140%	81,340	92,960	104,580	116,060	125,440	134,680	143,920	153,300	162,484	171,769	2,033	2,178	2,614	3,018	3,367	3,715
<b>Palm Beach County</b> (W Palm Bch-Boca Raton HMFA) Median: 90,300	30%	19,350	22,100	24,850	27,750	32,470	37,190	41,910	46,630	Refer to HUD		483	518	621	752	929	1,106
	50%	32,200	36,800	41,400	46,000	49,700	53,400	57,050	60,750	64,400	68,080	805	862	1,035	1,196	1,335	1,472
	80%	51,550	58,900	66,250	73,600	79,500	85,400	91,300	97,200	103,040	108,928	1,288	1,380	1,656	1,913	2,135	2,356
	120%	77,280	88,320	99,360	110,400	119,280	128,160	136,920	145,800	154,560	163,392	1,932	2,070	2,484	2,871	3,204	3,534
	140%	90,160	103,040	115,920	128,800	139,160	149,520	159,740	170,100	180,320	190,624	2,254	2,415	2,898	3,349	3,738	4,123
<b>Pasco County</b> (Tampa-St.Petersburg-Clearwater MSA) Median: 82,100	30%	17,300	19,750	23,030	27,750	32,470	37,190	41,910	46,630	Refer to HUD		432	463	575	752	929	1,106
	50%	28,750	32,850	36,950	41,050	44,350	47,650	50,950	54,200	57,470	60,754	718	770	923	1,067	1,191	1,314
	80%	46,000	52,600	59,150	65,700	71,000	76,250	81,500	86,750	91,952	97,206	1,150	1,232	1,478	1,708	1,906	2,103
	120%	69,000	78,840	88,680	98,520	106,440	114,360	122,280	130,080	137,928	145,810	1,725	1,848	2,217	2,562	2,859	3,154
	140%	80,500	91,980	103,460	114,940	124,180	133,420	142,660	151,760	160,916	170,111	2,012	2,156	2,586	2,989	3,335	3,680
<b>Pinellas County</b> (Tampa-St.Petersburg-Clearwater MSA) Median: 82,100	30%	17,300	19,750	23,030	27,750	32,470	37,190	41,910	46,630	Refer to HUD		432	463	575	752	929	1,106
	50%	28,750	32,850	36,950	41,050	44,350	47,650	50,950	54,200	57,470	60,754	718	770	923	1,067	1,191	1,314
	80%	46,000	52,600	59,150	65,700	71,000	76,250	81,500	86,750	91,952	97,206	1,150	1,232	1,478	1,708	1,906	2,103
	120%	69,000	78,840	88,680	98,520	106,440	114,360	122,280	130,080	137,928	145,810	1,725	1,848	2,217	2,562	2,859	3,154
	140%	80,500	91,980	103,460	114,940	124,180	133,420	142,660	151,760	160,916	170,111	2,012	2,156	2,586	2,989	3,335	3,680
<b>Polk County</b> (Lakeland-Winter Haven MSA) Median: 67,500	30%	14,200	18,310	23,030	27,750	32,470	37,190	41,850	44,550	Refer to HUD		355	406	575	752	929	1,080
	50%	23,650	27,000	30,400	33,750	36,450	39,150	41,850	44,550	47,250	49,950	591	633	760	877	978	1,080
	80%	37,800	43,200	48,600	54,000	58,350	62,650	67,000	71,300	75,600	79,920	945	1,012	1,215	1,404	1,566	1,728
	120%	56,760	64,800	72,960	81,000	87,480	93,960	100,440	106,920	113,400	119,880	1,419	1,519	1,824	2,106	2,349	2,592
	140%	66,220	75,600	85,120	94,500	102,060	109,620	117,180	124,740	132,300	139,860	1,655	1,772	2,128	2,457	2,740	3,024

Florida Housing Finance Corporation (FHFC) income and rent limits are based upon figures provided by the United States Department of Housing and Urban Development (HUD) and are subject to change. Updated schedules will be provided when changes occur.

[illegible]

# ATTACHMENTS TO AHAC INCENTIVES CHART

## FORM #2

### REDUCED MIF LIHH CERTIFICATION





**CERTIFICATION**  
**OF DESIGNATED AFFORDABLE HOUSING**  
**FOR THE REDUCED MULTIMODAL IMPACT FEE**

To determine if the unit proposed for construction listed below meets the definition of “designated low-income unit” as a component of an affordable housing incentive program, we need to ask a few questions. Please complete this form and submit it with the required attachments to:

City of St Petersburg  
Housing and Community Development (HCD) Department  
Attn: Mr. Joshua Johnson, Director  
PO Box 2842, St. Petersburg, FL 33731-2842

**Please attach a copy of:**

AN EXECUTED AGREEMENT OR RECORDED DOCUMENT TO  
EVIDENCE RENT AND INCOME RESTRICTIONS MEET THE  
REQUIREMENTS BELOW.

Duration of the Restrictions for new construction of multifamily = minimum of 20  
years and 5 years for single family.

Rent & Income for new construction of **multifamily**= **60% AMI or below units**

Rent & Income for **single family** = **80% AMI or below**

**Section 1: Development Location, Zoning, and Ownership Information**

1. Please provide an accurate description of the property:

Development Name: \_\_\_\_\_

Address: \_\_\_\_\_

County Parcel Identification Number: \_\_\_\_\_

Legal Description: \_\_\_\_\_

\_\_\_\_\_

2. BUILDING PERMIT NUMBER: \_\_\_\_\_

DATE OF PERMIT APPLICATION: \_\_\_\_\_

3. Name, address, phone number and e-mail of Developer/Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name, address, phone number, and e-mail of current landowner, if not the same as Developer/Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of Property Owner: \_\_\_\_\_

## Section 2: ELIGIBILITY CALCULATION:

**A. SINGLE FAMILY:** Unit is restricted to Household with income at or below 80% AMI for a minimum of 5 years?

YES: \_\_\_\_\_ NO: \_\_\_\_\_

**SINGLE FAMILY:** Unit is between 1-1,500 sq. ft. of heated, habitable living area?

YES: \_\_\_\_\_ NO: \_\_\_\_\_

**CITY: ELIGIBLE FOR SINGLE FAMILY LIHH FEE? YES \_\_\_\_\_ OR NO \_\_\_\_\_**

## **B. MULTI-FAMILY**

Type	Number of Units Restricted to HH at 60% AMI or below	Number of <u>Unrestricted</u> Units <u>or</u> Units with income <u>restrictions higher</u> than 60% AMI	TOTAL Units in the development
UNITS			
CITY ONLY BELOW THIS LINE:			
Schedule A LIHH Fee of \$753 per unit			
Reg Schedule A Fee of \$1,420			
Schedule B LIHH Fee of \$557 per unit			
Reg Schedule B Fee of \$972 per unit			

### Section 3: Commitment and Certification

I acknowledge that I have truthfully provided the information in this application to demonstrate that the proposed development will meet the criteria to qualify for the reduced Multimodal Impact fee as allowed under Pinellas County Ordinance 19-15.

Penalty for False or Fraudulent Statement:

Under Florida law, including but not limited to Chapter 817, Florida Statutes, fraud is both a tort and a crime and may be punishable as a felony.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of authorized signatory: \_\_\_\_\_

**Once this Certification form is signed by the Director of Housing & Community Development, the applicant is eligible FOR THE REDUCED MULTIMODAL IMPACT FEES INDICATED FOR LOW INCOME HOUSEHOLDS (LIHH) as allowed under Pinellas County Ordinance 19-15 adopted 7/25/19.**

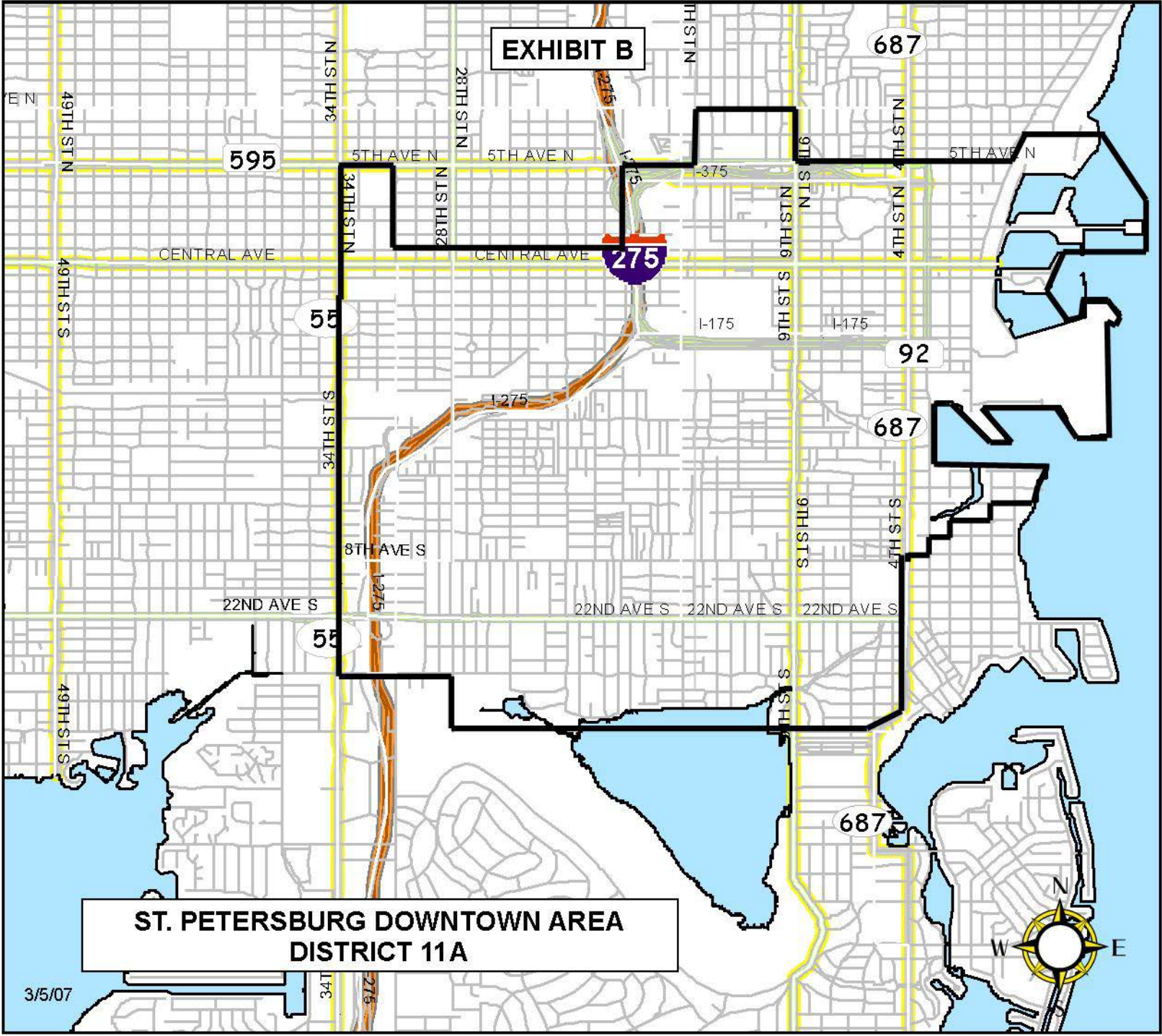
City of St. Petersburg, Florida:

By: \_\_\_\_\_

Date: \_\_\_\_\_

Joshua A. Johnson, Director  
Housing & Community Development

**EXHIBIT B**



**ST. PETERSBURG DOWNTOWN AREA  
DISTRICT 11A**

# Multimodal Impact Fee Amendment

- Amends the Land Development Code, Chapter 150 Impact Fees
- New rates for Multi-Family low income household projects
  - Local certification
- Single family residential assessed according to size (heated living area square footage)
- Fees are collected at permit issuance

Schedule A. General Fee Schedule		Schedule B. Downtown Area Fee Schedule	
Land Use Type		Land Use Type	Fee Per Unit
Residential:		Residential:	
Single-family:		Single-family:	\$1,529
0-1,500 sq. ft.		0-1,500 sq. ft.	\$1,003
1,501 - 2,499 sq. ft.		1,501 - 2,499 sq. ft.	\$1,242
2,500 sq. ft. and over		2,500 sq. ft. and over	\$1,529
0-1,500 sq. ft. LIHH		0-1,500 sq. ft. LIHH	\$653
Multi-family		Multi-family	\$972
Multi-family LIHH*		Multi-family LIHH*	\$557

# ATTACHMENTS TO AHAC INCENTIVES CHART

## FORM #3

### HOUSING AFFORDABILITY IMPACT STATEMENT

## City of St. Petersburg Housing Affordability Impact Statement

---

Each year, the City of St. Petersburg receives approximately \$2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that *increase the cost of housing construction, or of housing redevelopment*, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1– June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

**I. Initiating Department:**

**II. Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:**

**III. Impact Analysis:**

- A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

No ☐ (No further explanation required.)

Yes ☐ Explanation:

If Yes, the **per unit cost increase** associated with this proposed policy change is estimated to be:  
\$ \_\_\_\_\_.

- B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

No ☐ (No further explanation required)

Yes ☐ Explanation:

#### IV: Certification

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community's ability to provide affordable housing, please explain below:

CHECK ONE:

- ☐ The proposed regulation, policy, procedure, or comprehensive plan amendment will **not** result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
Date

OR

- ☐ The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance *will increase housing costs* in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
Date

Copies to: City Clerk  
Joshua A. Johnson, Director, Housing and Community Development



# ATTACHMENTS TO AHAC INCENTIVES CHART

ADOPTED ORDINANCES ESTABLISHING A  
PROCESS TO IMPLEMENT HB1339 FLEXIBILITY

and Ord. 520-H TO IMPLEMENT SB 962

Form #4

## ORDINANCE 485-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING CHAPTER 17.5 OF THE CITY CODE RELATED TO HOUSING ASSISTANCE; CREATING A PROCESS PURSUANT TO SECTION 166.04151(6), FLORIDA STATUTES, WHEREIN THE ST. PETERSBURG CITY COUNCIL MAY APPROVE THE DEVELOPMENT OF HOUSING THAT IS AFFORDABLE IN DESIGNATED ZONING CATEGORIES SUBJECT TO PROCEDURAL AND SITE COMPATIBILITY REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The City of St. Petersburg does ordain:

**Section 1.** Section 17.5-19. of the St. Petersburg City Code is hereby amended to read as follows:

**Sec. 17.5-19. - Intent and purpose.**

- (a) The intent of the local housing assistance program (the program) is:
- (1) To increase the availability of affordable housing units by combining local resources and cost-saving measures into a local housing partnership and using public funds to leverage private funds, thereby reducing the cost of housing;
  - (2) To assist in achieving the growth management goals contained in the adopted local comprehensive plan, by allowing more efficient use of land so as to provide housing units that are affordable to persons who have special housing needs, very-low income, low-income, or moderate-income;
  - (3) To promote innovative design of eligible housing that provides cost savings; flexible design options for housing and development such as the combination of architectural styles, building forms, and development requirements; and positive design features such as orientation towards the street and pedestrian access, without compromising the quality of the eligible housing;
  - (4) To promote mixed-income housing in urban and suburban areas so as to provide increased housing and economic opportunities for persons who have special housing needs, or have very low-income, low-income, or moderate-income; and
  - (5) To build the organizational and technical capacity of community-based organizations so as to optimize the role of community-based organizations in the production of affordable housing.

(6) To provide for a process pursuant to F.S. 166.04151(6) for City Council review of Affordable Housing Projects that are not otherwise allowed under Chapter 16 of City Code.

- (b) The purpose of this article is to aid in achieving the intent of the program while providing for:
- (1) Protection of natural resources;
  - (2) Enhancement of the viability of public transit, pedestrian circulation, and non-motorized modes of transportation;
  - (3) Community development and economic growth; and
  - (4) A strong sense of community through increased social and economic integration

**Section 2.** The St. Petersburg City Code is hereby amended by adding a new Article VI to Chapter 17.5, to read as follows:

## **ARTICLE VI. - AFFORDABLE HOUSING SITE PLAN APPROVAL**

### **Sec. 17.5-110. – Intent and purpose.**

The City recognizes that housing affordability continues to be an important issue to the citizens of St. Petersburg. The City further recognizes that its Land Development Regulations (LDRs) may sometimes be an impediment to the establishment of affordable housing on certain sites that may otherwise be appropriate for such development. The intent and purpose of this Article is to create an alternative process to that which is outlined in the City's LDRs for the provision of affordable housing in certain residential and industrial areas of the City, pursuant to Section 166.04151(6), Florida Statutes. Approvals sought pursuant to this Article shall meet the procedural requirements set forth herein, in addition to the standards for review related to the compatibility of the development with its neighborhood.

### **Sec. 17.5-111. – Qualifying property.**

To qualify for application for the Affordable Housing Site Plan Approval process, property shall meet the following minimum criteria:

- (a) The property shall have a current zoning designation of Neighborhood Traditional, Neighborhood Suburban, Industrial Traditional or Industrial Suburban.
- (b) Property located in a Neighborhood Traditional or Neighborhood Suburban zoning district shall have a minimum lot size of one (1) acre.
- (c) Property located in an Industrial Traditional or Industrial Suburban zoning district shall have a minimum lot size of five (5) acres.
- (d) The development proposal in a Neighborhood Traditional or Neighborhood Suburban zoning district shall consist of 20 or more dwelling units.

- (e) The development proposal in an Industrial Traditional or Industrial Suburban zoning district shall consist of 60 or more dwelling units.
- (f) Property located in an Industrial Traditional or Industrial Suburban zoning district shall meet the following additional location criteria:
  - (1) Shall be located within 2 miles of a public school including a vocational school;
  - (2) Shall be located within a ¼ mile of a PSTA bus line;
  - (3) Shall be located within 1 mile of a grocery store; and
  - (4) Shall be located within 1 mile of the Pinellas Trail or City park.
- (g) All of the proposed dwelling units shall have a restrictive covenant that requires the dwelling units to be affordable to qualified buyers or renters at 120% of Area Median Income or below for a minimum period of 30 years.
- (h) For mixed use projects on a property, other permitted uses besides affordable housing sought pursuant to this section are subject to Chapter 16 of the City Code.
- (i) There shall be no variances granted to these criteria.

**Sec. 17.5-112. – Pre-application conference.**

An applicant for development shall meet with the City professional staff prior to filing an application for the purpose of discussing the proposed development, identify required pre-application notice requirements, and to identify the views and concerns of the applicant and the City's professional staff.

**Sec. 17.5-113. – Determination of completeness.**

All applications shall include the information required and any additional information (including studies) reasonably required by the POD to review the request. If an application does not include the information required, the POD shall reject the application with an explanation of the deficiencies. The application shall not be processed until all the required information is provided and the pre-application notice provided. The POD may waive an application submittal requirement if:

- (1) The required information is readily available from existing sources; or
- (2) The information is not required due to unique circumstances.

**Sec. 17.5-114. – Definitions.**

As used in this section:

*Applicant* means the person who requested the decision.

*Application* means an application or request for approval of an affordable housing development pursuant to F.S. 166.04151(6).

*Decision* means a decision of the POD or a decision of City Council.

*Render* means, with respect to decisions of the POD, that the decision has been reduced to writing, signed by the POD, and mailed or delivered to the applicant. With respect to decisions by City Council, the term means a vote has been taken and the results have been announced by the City Clerk.

**Sec. 17.5-115. – Supplemental notice.**

(a) *Notice requirements.* The supplemental notice set forth in this section for public hearing shall be provided for all public hearings before the City Council.

(b) *Notification.* The City Council recognizes the importance for community involvement in many proceedings for which notice is not required by Florida Statutes. In an attempt to facilitate such involvement, and to provide notification of such proceedings to property owners and residents in nearby neighborhoods and to other interested parties, it is the intent of the City Council to provide the following supplemental notice.

(1) *Written notice.* Notice shall be mailed by the applicant to all neighborhood associations and business association representatives within 300-feet of the subject application, the Council of Neighborhood Associations (CONA), and the Federation on Inner-City Community Organizations (FICO) and the owners of property listed by the county property appraiser's office, any portion of which is within 300 feet of any portion of the subject property measured by a straight line, property line to property line.

a. Any request to receive notice by any person not an owner of property as described above must be in writing, must specifically identify the notices the person wishes to receive, must be delivered to the POD, and must contain a mailing address.

Such requests, when not related to a specific application, shall only be valid for the specifically identified notices for not more than one year after receipt by the POD and may be renewed on an annual basis.

b. The applicant shall obtain from the POD a copy of the notice and the procedures for notification of property owners who must receive notice. The applicant shall not include any information in the notice other than that which is required by the POD.

c. Not less than 15 days prior to the date of the scheduled public hearing, the applicant shall deliver or mail a copy of said notice to all persons listed on the notification list and the owners of property within the distance described in this section. Notice

shall be mailed by the U.S. Mail with a postal service certificate of mailing returned to the City.

- d. The applicant shall file proof that the notices were mailed or delivered with the POD not less than seven days prior to the date of the scheduled public hearing.
  - e. For property in condominium or cooperative ownership which falls within 300 feet, the owner of each unit shall be notified.
- (2) *Posted notice.* Notice of the public hearing shall be posted on the subject property by the applicant at least 15 days prior to the public hearing. The applicant shall provide proof of posted notice on the subject property to the POD at least seven days prior to the public hearing.
- (3) *Identify the property.* The written and posted notices shall identify the property upon which the request for action is made, the date and location of the public hearing, the phone number and address where information regarding the proposal can be obtained, and the type of action requested.
- (4) *Neighborhood and business association notice.* One complete copy of each application shall be provided by the POD to CONA, FICO and neighborhood and business association representatives within 300 feet of the subject property.
- (5) *Governmental notice.* Mailed notice shall be provided to a neighboring government for comment, where the subject property is located within one-fourth of a mile of a neighboring government. Mailed notice shall also be provided to the Pinellas County School Board for comment, where the subject property is located within one-fourth mile of a public educational facility.
- (6) Failure to provide supplemental notice.
- (7) If the POD is notified of or discovers a failure to provide supplemental notice of at least 36 hours before the scheduled start of the public hearing, the POD may cancel the public hearing, reschedule the public hearing and require new notice to be given. The POD should only take this action if:
- a. It appears from the information provided that the holding of the hearing would be a substantial hardship on the person who did not receive notice;
  - b. Such substantial hardship is different from the hardship the person would have suffered had he received the notice;

- c. Such hardship cannot be corrected or mitigated prior to the scheduled public hearing; and
  - d. Rescheduling would not be a substantial hardship on other persons who received notice or the applicant.
- (8) If the POD is not notified of or does not discover a failure to provide supplemental notice until after the time set forth above than the POD shall not cancel the public hearing. City Council, at the public hearing, may weigh the effects of the failure to provide supplemental notice and may choose to continue the public hearing if the circumstances so warrant.
- (9) If the POD is not notified of or does not discover a failure to provide supplemental notice until after the public hearing has been held and a decision rendered, then none of these actions shall be taken. Failure to provide any supplemental notice shall not invalidate any action by the City Council.

**Sec. 17.5-116. – Rehearing.**

An applicant following a decision by City Council may request a rehearing.

- (a) The City Council shall not rehear an application unless:
  - (1) There has been faulty notification to the applicant;
  - (2) New evidence is discovered by the applicant after the hearing which would likely change the result if a new hearing is granted and which could not have been discovered before the hearing by due diligence; or
  - (3) There is a substantial change of circumstance.
- (b) If either of these conditions is alleged to exist, then a request for rehearing may be made by the original applicant or the City staff within ten days of the original decision by filing a written request for rehearing with the POD.
  - (1) If a request for rehearing is based on newly discovered evidence, documents supporting that evidence shall be served with the application.
  - (2) A request for rehearing shall be heard at the next regularly scheduled meeting following the receipt of any request and, based upon the information before it, City Council shall issue an order denying or granting a rehearing.

- (3) If a request for rehearing is granted, the application shall be scheduled for a public hearing after the required fee, if any, has been paid and notification has been made as required for the first hearing by the person requesting the rehearing.
- (4) If a request for rehearing is timely filed, such filing tolls the time in which to seek judicial review of the decision until an order is rendered denying the request for rehearing. If a request for a rehearing is granted, the time in which to seek judicial review shall begin when an order is entered at the rehearing of the application.

**Sec. 17.5-117. – Withdrawal of application; abandonment of approval.**

- (a) An applicant may withdraw his application at any time prior to a final decision. The process shall end upon receipt of written notice thereof or an oral request made at a public hearing.
- (b) An owner of property with an approved development order or permit may request that the approved development order or permit be deemed abandoned. Once an approved development order or permit is abandoned, the approval shall become null and void and the property shall be treated as if the approval had never occurred. Thereafter, the owner shall not be allowed to perform any work pursuant to the approval. The owner shall apply for any required development order or permit before performing any work on the property. The owner (not the owner's agent) shall provide the POD with a sworn statement expressing the owner's intention to abandon the approved development order or permit and acknowledging that after approval by the POD, the owner shall not be allowed to perform any work pursuant to the approval and shall be required to apply for a development order or permit before performing any work. The POD shall approve the request and may place reasonable conditions on the approval of such request. The abandonment of an approval shall not be approved if development of the property has commenced under the development order or permit, whether the development is complete or not, unless the POD determines the condition of the property would not violate the Land Development Regulations in the absence of the approval.

**Sec. 17.5-118. – Successive applications.**

- (a) If an application is submitted to City Council for a decision, and if the City Council denies the application, the same or a substantially similar application shall not be accepted by the POD within 18 months following the action by the City Council on the earlier application unless the applicant demonstrates that there has been a substantial change of conditions or character of the surrounding land area or the land in question.



- (b) A decision by the POD not to accept an application may be appealed by the applicant to the City Council.
- (c) A decision by the POD to accept an application is not appealable.

**Sec. 17.5-119. – Extensions and duration of approvals.**

- (a) *Duration of approvals.* Any application approved pursuant to this section shall remain valid for three years from the date of approval except approvals of applications for which a specific expiration date is established by the approval.
- (b) Applicants may request up to two two-year extensions from the POD. The application shall be revised to comply with any code amendments that were adopted after the original approval, unless a variance is granted.
- (c) After the original approval and any approved extension have expired without substantial construction commencing, the approval shall be void, and a new application shall be required.
- (d) Phased projects, including rehabilitation of an existing building, shall be approved in such a manner that each phase can reasonably be started within two years from the date the certificate of occupancy is issued for the previous phase, unless a shorter compliance period is required by City Council.
- (e) Approved applications for which substantial construction has commenced shall remain valid subject to compliance with all approved development permits.
- (f) New applications for sites with a previously approved application which are submitted in advance of the expiration date of the approval or extension shall have maintained non-interrupted approval for vesting purposes for any other ordinance or code of the City or for any other government approval provided that the new application is approved by City Council within 120 days after the expiration date of the original approval or extension.
- (g) *Extensions of approvals.* Requests for extension approval shall be in writing and received by the POD prior to the expiration date of the approval or previously approved extension. A failure to request an extension prior to the expiration of the approval or a previously approved extension or failure to meet all conditions of an approval of an extension shall invalidate the original application approval. Requests for extensions shall address the following matters and may be denied if impacts cannot be adequately mitigated:

- (1) The extent of actions taken by the applicant to implement the approved development plan including real estate transactions, preparation of construction plans, site preparation and pre-construction sales.
- (2) The effect of unforeseen circumstances such as changes in economic condition, cost of materials, and site specific conditions on the approval.
- (3) The length of additional time estimated by the applicant to be needed to implement the approved development plan.
- (4) Changes in the City code that would apply to the property.
- (5) Changes or new construction on property in the vicinity of the applicant's property which may increase impacts to other properties.
- (6) Other facts considered relevant to a consideration of an extension.

**Sec. 17.5-120. – Tenant notice of intent to develop.**

Development applications under this section which involve the demolition of four or more existing occupied multi-family dwelling units at time of application shall provide a written notice of intent to develop to all tenants residing on the subject property at least 90 days prior to issuance of a building permit. Evidence of notice shall be provided to the POD. No permits shall be issued for the subject property until such time as the 90 day period has expired. For purposes of this section, multi-family shall include tenancies in which both a mobile home and a mobile home lot are rented or leased by the mobile home resident, but not those mobile homes otherwise regulated by F.S. ch. 723.

A notice of intent to develop shall comply with the requirements set forth herein. A written notice shall be on paper and indicate the intent to develop with a planned date for demolition of structures and commencement of construction and shall be delivered via certified mail to all tenants residing on the subject property. Notice shall be mailed by U.S. mail with a U.S. postal service certificate of mailing returned to the City. Evidence of notice shall be a copy of the notice letter, the list of tenants residing on the subject property at time of mailing, and a copy of the U.S. postal service certificate of mailing.

**Sec. 17.5-121. – Affordable housing site plan review.**

- (a) *Application.* An application shall include the following information in addition to additional information that the POD may reasonably require.

(1) A site plan of the subject property. The number of copies required shall be established by the POD:

- a. All site plans shall include information required by the POD.
  1. Elevations depicting architectural details and materials for all sides of each structure shall be provided.
  2. The POD may require a surveyor's certificate to determine location of the proposed structures relative to the lot lines involved.
- b. The site plan shall include the parking layout and the number of parking spaces being provided.
- c. The site plan shall include a landscaping plan.
- d. The application shall include a site data sheet to be provided to the applicant by the POD.
- e. The application shall include a financial document depicting the financial sources for the proposed development and the financial uses. The financial documents shall also include information on financial reserves to maintain the dwelling units.
- f. If the property is located in an industrial zoning district, an environmental report of the subject property and an analysis of the surrounding industrial uses.
- g. If the redevelopment will displace an existing business or businesses, a plan for relocation of the business or businesses and/or re-employment of existing employees.

(b) *Procedures.*

(1) City Council review and decision:

- a. Public hearing. If the POD determines that an application meets the applicability standards and all required application and public notice information has been provided, the POD shall schedule a public hearing before City Council.
- b. Upon receipt of a recommendation from the POD, the City Council shall conduct a public hearing on the application and shall approve, approve with conditions or deny the application. After considering the application, the City Council may defer action for no more than 60 days to obtain additional information.

(c) *Standards for review.*

- (1) Ingress and egress to the property and the proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities, and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on state and county roads shall be based on the latest access management standards of FOT or the county, respectively.
- (2) Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.
- (3) Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts.
- (4) Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. City Council may grant approval of a drainage plan as required by City ordinance, county ordinance or SWFWMD.
- (5) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties.
- (6) Orientation, height and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape.
- (7) Compatibility of the use with the existing natural environment of the site, historic, and archaeological sites, and with properties in the neighborhood.
- (8) Substantial detrimental effects of the use, including evaluating the impacts of the use and a concentration of similar or the same uses and structures on the neighborhood.
- (9) Sufficiency of setbacks, screens, buffers and general amenities to preserve the internal and external harmony and compatibility with the uses inside and outside the proposed development and to control adverse effects of noise, light, dust, fumes and other nuisances.

- (10) Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations.
- (11) Landscaping and preservation of natural manmade features of the site including trees, wetlands and other vegetation.
- (12) Sensitivity of the development to on-site and adjacent historic or archaeological resources related to scale, mass, building materials and other impacts.
- (13) Unit type, such as rental or ownership, and the income levels served by the development are needed in the marketplace.
- (14) If the subject property is zoned industrial, then the following criteria shall be considered in determining the suitability of the subject property for development pursuant to this section:
  - a. One or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.
  - b. Conversion to a residential use will not cause negative impacts on surrounding industrial operations.
  - c. Location and surrounding land uses will not cause any adverse impacts to the health of future residents.

**Sec. 17.5-122. – Fees.**

In order to incentivize and assist in the development of additional affordable and workforce housing, there will be no fee for this application process.

**Section 3. Coding.** As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

**Section 4. Severability.** The provisions of this ordinance shall be deemed severable. If any provision of this ordinance is determined to be unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

**Section 5. Effective Date.** In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

First reading conducted on 9<sup>th</sup> day of September 2021.

Adopted by St. Petersburg City Council on second and final reading on the 14<sup>th</sup> day of October 2021.



Ed Montanari, Chair-Councilmember  
Presiding Officer of the City Council

ATTEST:



Chan Srinivasa, City Clerk



Title Published: Times 1-t 09/29/21

**Not vetoed. Effective date October 21, 2021 at 5:00 p.m.**

## ORDINANCE 486-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING CHAPTER 16 OF THE CITY CODE; AMENDING SECTION 16.01.040. TO PRECLUDE APPLICATION OF THE LAND DEVELOPMENT REGULATIONS TO CERTAIN AFFORDABLE HOUSING PROJECTS APPROVED PURSUANT TO SECTION 166.04151(6), FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

The City of St. Petersburg does ordain:

**Section 1.** Section 16.01.040. of the St. Petersburg City Code is hereby amended to read as follows:

### **Sec. 16.01.040. - Applicability.**

This chapter applies to all development in the City, except for Affordable Housing projects approved pursuant to F.S. 166.04151(6), which states, in pertinent part, that notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, on any parcel zoned for residential or industrial use. No development shall be undertaken except as authorized by this chapter. No structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any structure or land be used or occupied which does not comply with all the regulations established by this chapter for the district in which the building or land is located. When a violation of this chapter exists on any property, no development permits shall be issued for such property, except permits which are necessary to correct the violation or for necessary maintenance, until the violation is corrected.

**Section 2.** Coding. As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

**Section 3.** Effective Date. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case

this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

First reading conducted on 9<sup>th</sup> day of September 2021.

Adopted by St. Petersburg City Council on second and final reading on the 14<sup>th</sup> day of October 2021.



Ed Montanari, Chair-Councilmember  
Presiding Officer of the City Council

ATTEST:



Chan Srinivasa, City Clerk



Title Published: Times 1-t 09/29/21

**Not vetoed. Effective date October 21, 2021 at 5:00 p.m.**



## ORDINANCE NO. 520-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA; AMENDING SECTION 17.5-111. OF THE CITY CODE RELATING TO ELIGIBILITY CRITERIA FOR CERTAIN MIXED-INCOME PROJECTS AND ACCESSORY COMMERCIAL USES TO QUALIFY FOR THE AFFORDABLE HOUSING SITE PLAN APPROVAL PROCESS; AMENDING SECTION 17.5-121. RELATING TO APPLICATION REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

### ***ARTICLE VI. AFFORDABLE HOUSING SITE PLAN APPROVAL***

#### **Sec. 17.5-110. Intent and purpose.**

The City recognizes that housing affordability continues to be an important issue to the citizens of St. Petersburg. The City further recognizes that its Land Development Regulations (LDRs) may sometimes be an impediment to the establishment of affordable housing on certain sites that may otherwise be appropriate for such development. The intent and purpose of this article is to create an alternative process to that which is outlined in the City's LDRs for the provision of affordable housing in certain residential and industrial areas of the City, pursuant to F.S. § 166.04151(6). Approvals sought pursuant to this article shall meet the procedural requirements set forth herein, in addition to the standards for review related to the compatibility of the development with its neighborhood.

#### **Sec. 17.5-111. Qualifying property.**

To qualify for application for the affordable housing site plan approval process, property shall meet the following minimum criteria:

- (a) The property shall have a current zoning designation of Neighborhood Traditional, Neighborhood Suburban, Industrial Traditional or Industrial Suburban.
- (b) Property located in a Neighborhood Traditional or Neighborhood Suburban zoning district shall have a minimum lot size of one acre.
- (c) Property located in an Industrial Traditional or Industrial Suburban zoning district shall have a minimum lot size of five acres.
- (d) The development proposal in a Neighborhood Traditional or Neighborhood Suburban zoning district shall consist of 20 or more dwelling units.
- (e) The development proposal in an Industrial Traditional or Industrial Suburban zoning district shall consist of 60 or more dwelling units.

- (f) Property located in an Industrial Traditional or Industrial Suburban zoning district shall meet the following additional location criteria:
  - (1) Shall be located within two miles of a public school including a vocational school;
  - (2) Shall be located within a ¼ mile of a PSTA bus line;
  - (3) Shall be located within one mile of a grocery store; and
  - (4) Shall be located within one mile of the Pinellas Trail or City park.
- (g) All of the proposed dwelling units shall have a restrictive covenant that requires the dwelling units to be affordable to qualified buyers or renters at 120 percent of area median income or below for a minimum period of 30 years. Notwithstanding the foregoing, development proposals within an Industrial Traditional or Industrial Suburban zoning district consisting of 300 or more dwelling units may designate no less than 30 percent of the proposed dwelling units as affordable so long as 50 percent of those dwelling units are designated as affordable to qualified buyers or renters at 80 percent of area median income or below for a minimum period of 30 years, and the developer of the project agrees to not apply for or receive funding under F.S. § 420.5087.
- (h) For mixed use projects on a property, other permitted uses besides affordable housing sought pursuant to this section are subject to Chapter 16 of the City Code. However, for development proposals within an Industrial Traditional or Industrial Suburban zoning district, accessory commercial uses such as cafes, restaurants, drug stores or pharmacies, and grocery stores up to 10,000 square feet are exempt from this requirement.
- (i) There shall be no variances granted to these criteria.

#### **Sec. 17.5-112. Pre-application conference.**

An applicant for development shall meet with the City professional staff prior to filing an application for the purpose of discussing the proposed development, identify required pre-application notice requirements, and to identify the views and concerns of the applicant and the City's professional staff.

#### **Sec. 17.5-113. Determination of completeness.**

All applications shall include the information required and any additional information (including studies) reasonably required by the POD to review the request. If an application does not include the information required, the POD shall reject the application with an explanation of the deficiencies. The application shall not be processed until all the required information is provided and the pre-application notice provided. The POD may waive an application submittal requirement if:

- (1) The required information is readily available from existing sources; or
- (2) The information is not required due to unique circumstances.

#### **Sec. 17.5-114. Definitions.**

As used in this section:

*Applicant* means the person who requested the decision.

*Application* means an application or request for approval of an affordable housing development pursuant to F.S. § 166.04151(6).

*Decision* means a decision of the POD or a decision of City Council.

*Render* means, with respect to decisions of the POD, that the decision has been reduced to writing, signed by the POD, and mailed or delivered to the applicant. With respect to decisions by City Council, the term means a vote has been taken and the results have been announced by the City Clerk.

**Sec. 17.5-115. Supplemental notice.**

- (a) *Notice requirements.* The supplemental notice set forth in this section for public hearing shall be provided for all public hearings before the City Council.
- (b) *Notification.* The City Council recognizes the importance for community involvement in many proceedings for which notice is not required by Florida Statutes. In an attempt to facilitate such involvement, and to provide notification of such proceedings to property owners and residents in nearby neighborhoods and to other interested parties, it is the intent of the City Council to provide the following supplemental notice.
  - (1) *Written notice.* Notice shall be mailed by the applicant to all neighborhood associations and business association representatives within 300-feet of the subject application, the Council of Neighborhood Associations (CONA), and the Federation on Inner-City Community Organizations (FICO) and the owners of property listed by the county property appraiser's office, any portion of which is within 300 feet of any portion of the subject property measured by a straight line, property line to property line.
    - a. Any request to receive notice by any person not an owner of property as described above must be in writing, must specifically identify the notices the person wishes to receive, must be delivered to the POD, and must contain a mailing address.

Such requests, when not related to a specific application, shall only be valid for the specifically identified notices for not more than one year after receipt by the POD and may be renewed on an annual basis.
    - b. The applicant shall obtain from the POD a copy of the notice and the procedures for notification of property owners who must receive notice. The applicant shall not include any information in the notice other than that which is required by the POD.
    - c. Not less than 15 days prior to the date of the scheduled public hearing, the applicant shall deliver or mail a copy of said notice to all persons listed on the notification list and the owners of property within the distance described in this section. Notice shall be mailed by the U.S. Mail with a postal service certificate of mailing returned to the City.
    - d. The applicant shall file proof that the notices were mailed or delivered with the POD not less than seven days prior to the date of the scheduled public hearing.

- e. For property in condominium or cooperative ownership which falls within 300 feet, the owner of each unit shall be notified.
- (2) *Posted notice.* Notice of the public hearing shall be posted on the subject property by the applicant at least 15 days prior to the public hearing. The applicant shall provide proof of posted notice on the subject property to the POD at least seven days prior to the public hearing.
- (3) *Identify the property.* The written and posted notices shall identify the property upon which the request for action is made, the date and location of the public hearing, the phone number and address where information regarding the proposal can be obtained, and the type of action requested.
- (4) *Neighborhood and business association notice.* One complete copy of each application shall be provided by the POD to CONA, FICO and neighborhood and business association representatives within 300 feet of the subject property.
- (5) *Governmental notice.* Mailed notice shall be provided to a neighboring government for comment, where the subject property is located within one-fourth of a mile of a neighboring government. Mailed notice shall also be provided to the Pinellas County School Board for comment, where the subject property is located within one-fourth mile of a public educational facility.
- (6) Failure to provide supplemental notice.
- (7) If the POD is notified of or discovers a failure to provide supplemental notice of at least 36 hours before the scheduled start of the public hearing, the POD may cancel the public hearing, reschedule the public hearing and require new notice to be given. The POD should only take this action if:
  - a. It appears from the information provided that the holding of the hearing would be a substantial hardship on the person who did not receive notice;
  - b. Such substantial hardship is different from the hardship the person would have suffered had he received the notice;
  - c. Such hardship cannot be corrected or mitigated prior to the scheduled public hearing; and
  - d. Rescheduling would not be a substantial hardship on other persons who received notice or the applicant.
- (8) If the POD is not notified of or does not discover a failure to provide supplemental notice until after the time set forth above then the POD shall not cancel the public hearing. City Council, at the public hearing, may weigh the effects of the failure to provide supplemental notice and may choose to continue the public hearing if the circumstances so warrant.
- (9) If the POD is not notified of or does not discover a failure to provide supplemental notice until after the public hearing has been held and a decision rendered, then none of these actions shall be taken. Failure to provide any supplemental notice shall not invalidate any action by the City Council.

**Sec. 17.5-116. Rehearing.**

An applicant following a decision by City Council may request a rehearing.

- (a) The City Council shall not rehear an application unless:
  - (1) There has been faulty notification to the applicant;
  - (2) New evidence is discovered by the applicant after the hearing which would likely change the result if a new hearing is granted and which could not have been discovered before the hearing by due diligence; or
  - (3) There is a substantial change of circumstance.
- (b) If either of these conditions is alleged to exist, then a request for rehearing may be made by the original applicant or the City staff within ten days of the original decision by filing a written request for rehearing with the POD.
  - (1) If a request for rehearing is based on newly discovered evidence, documents supporting that evidence shall be served with the application.
  - (2) A request for rehearing shall be heard at the next regularly scheduled meeting following the receipt of any request and, based upon the information before it, City Council shall issue an order denying or granting a rehearing.
  - (3) If a request for rehearing is granted, the application shall be scheduled for a public hearing after the required fee, if any, has been paid and notification has been made as required for the first hearing by the person requesting the rehearing.
  - (4) If a request for rehearing is timely filed, such filing tolls the time in which to seek judicial review of the decision until an order is rendered denying the request for rehearing. If a request for a rehearing is granted, the time in which to seek judicial review shall begin when an order is entered at the rehearing of the application.

**Sec. 17.5-117. Withdrawal of application; abandonment of approval.**

- (a) An applicant may withdraw his application at any time prior to a final decision. The process shall end upon receipt of written notice thereof or an oral request made at a public hearing.
- (b) An owner of property with an approved development order or permit may request that the approved development order or permit be deemed abandoned. Once an approved development order or permit is abandoned, the approval shall become null and void and the property shall be treated as if the approval had never occurred. Thereafter, the owner shall not be allowed to perform any work pursuant to the approval. The owner shall apply for any required development order or permit before performing any work on the property. The owner (not the owner's agent) shall provide the POD with a sworn statement expressing the owner's intention to abandon the approved development order or permit and acknowledging that after approval by the POD, the owner shall not be allowed to perform any work pursuant to the approval and shall be required to apply for a development order or permit before performing any work. The POD shall approve the request and may place reasonable conditions on the approval of such request. The abandonment of an approval shall not be approved if development of the property has commenced under the development order or permit, whether

the development is complete or not, unless the POD determines the condition of the property would not violate the Land Development Regulations in the absence of the approval.

**Sec. 17.5-118. Successive applications.**

- (a) If an application is submitted to City Council for a decision, and if the City Council denies the application, the same or a substantially similar application shall not be accepted by the POD within 18 months following the action by the City Council on the earlier application unless the applicant demonstrates that there has been a substantial change of conditions or character of the surrounding land area or the land in question.
- (b) A decision by the POD not to accept an application may be appealed by the applicant to the City Council.
- (c) A decision by the POD to accept an application is not appealable.

**Sec. 17.5-119. Extensions and duration of approvals.**

- (a) *Duration of approvals.* Any application approved pursuant to this section shall remain valid for three years from the date of approval except approvals of applications for which a specific expiration date is established by the approval.
- (b) Applicants may request up to two two-year extensions from the POD. The application shall be revised to comply with any code amendments that were adopted after the original approval, unless a variance is granted.
- (c) After the original approval and any approved extension have expired without substantial construction commencing, the approval shall be void, and a new application shall be required.
- (d) Phased projects, including rehabilitation of an existing building, shall be approved in such a manner that each phase can reasonably be started within two years from the date the certificate of occupancy is issued for the previous phase, unless a shorter compliance period is required by City Council.
- (e) Approved applications for which substantial construction has commenced shall remain valid subject to compliance with all approved development permits.
- (f) New applications for sites with a previously approved application which are submitted in advance of the expiration date of the approval or extension shall have maintained non-interrupted approval for vesting purposes for any other ordinance or code of the City or for any other government approval provided that the new application is approved by City Council within 120 days after the expiration date of the original approval or extension.
- (g) *Extensions of approvals.* Requests for extension approval shall be in writing and received by the POD prior to the expiration date of the approval or previously approved extension. A failure to request an extension prior to the expiration of the approval or a previously approved extension or failure to meet all conditions of an approval of an extension shall invalidate the original application approval. Requests for extensions shall address the following matters and may be denied if impacts cannot be adequately mitigated:
  - (1) The extent of actions taken by the applicant to implement the approved development plan including real estate transactions, preparation of construction plans, site preparation and pre-construction sales.

- (2) The effect of unforeseen circumstances such as changes in economic condition, cost of materials, and site specific conditions on the approval.
- (3) The length of additional time estimated by the applicant to be needed to implement the approved development plan.
- (4) Changes in the City code that would apply to the property.
- (5) Changes or new construction on property in the vicinity of the applicant's property which may increase impacts to other properties.
- (6) Other facts considered relevant to a consideration of an extension.

**Sec. 17.5-120. Tenant notice of intent to develop.**

Development applications under this section which involve the demolition of four or more existing occupied multi-family dwelling units at time of application shall provide a written notice of intent to develop to all tenants residing on the subject property at least 90 days prior to issuance of a building permit. Evidence of notice shall be provided to the POD. No permits shall be issued for the subject property until such time as the 90 day period has expired. For purposes of this section, multi-family shall include tenancies in which both a mobile home and a mobile home lot are rented or leased by the mobile home resident, but not those mobile homes otherwise regulated by F.S. ch. 723.

A notice of intent to develop shall comply with the requirements set forth herein. A written notice shall be on paper and indicate the intent to develop with a planned date for demolition of structures and commencement of construction and shall be delivered via certified mail to all tenants residing on the subject property. Notice shall be mailed by U.S. mail with a U.S. postal service certificate of mailing returned to the City. Evidence of notice shall be a copy of the notice letter, the list of tenants residing on the subject property at time of mailing, and a copy of the U.S. postal service certificate of mailing.

**Sec. 17.5-121. Affordable housing site plan review.**

- (a) *Application.* An application shall include the following information in addition to additional information that the POD may reasonably require.
  - (1) A site plan of the subject property. The number of copies required shall be established by the POD:
    - a. All site plans shall include information required by the POD.
      1. Elevations depicting architectural details and materials for all sides of each structure shall be provided.
      2. The POD may require a surveyor's certificate to determine location of the proposed structures relative to the lot lines involved.
    - b. The site plan shall include the parking layout and the number of parking spaces being provided.
    - c. The site plan shall include a landscaping plan.

- d. The application shall include a site data sheet to be provided to the applicant by the POD.
- e. The application shall include a financial document depicting the financial sources for the proposed development and the financial uses. The financial documents shall also include information on financial reserves to maintain the dwelling units.
- f. If the property is located in an industrial zoning district, an environmental report of the subject property and an analysis of the surrounding industrial uses.
- g. If the redevelopment will displace an existing business or businesses, a plan for relocation of the business or businesses and/or re-employment of existing employees.
- h. If the redevelopment will include any non-residential uses, provide a narrative describing the types of uses proposed and how those uses will support the future residents.

(b) *Procedures.*

(1) City Council review and decision:

- a. Public hearing. If the POD determines that an application meets the applicability standards and all required application and public notice information has been provided, the POD shall schedule a public hearing before City Council.
- b. Upon receipt of a recommendation from the POD, the City Council shall conduct a public hearing on the application and shall approve, approve with conditions or deny the application. After considering the application, the City Council may defer action for no more than 60 days to obtain additional information.

(c) *Standards for review.*

- (1) Ingress and egress to the property and the proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities, and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on state and county roads shall be based on the latest access management standards of FOT or the county, respectively.
- (2) Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.
- (3) Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts.
- (4) Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. City Council may grant approval of a drainage plan as required by City ordinance, county ordinance or SWFWMD.



- (5) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties.
- (6) Orientation, height and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape.
- (7) Compatibility of the use with the existing natural environment of the site, historic, and archaeological sites, and with properties in the neighborhood.
- (8) Substantial detrimental effects of the use, including evaluating the impacts of the use and a concentration of similar or the same uses and structures on the neighborhood.
- (9) Sufficiency of setbacks, screens, buffers and general amenities to preserve the internal and external harmony and compatibility with the uses inside and outside the proposed development and to control adverse effects of noise, light, dust, fumes and other nuisances.
- (10) Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations.
- (11) Landscaping and preservation of natural manmade features of the site including trees, wetlands and other vegetation.
- (12) Sensitivity of the development to on-site and adjacent historic or archaeological resources related to scale, mass, building materials and other impacts.
- (13) Unit type, such as rental or ownership, and the income levels served by the development are needed in the marketplace.
- (14) If the subject property is zoned industrial, then the following criteria shall be considered in determining the suitability of the subject property for development pursuant to this section:
  - a. One or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.
  - b. Conversion to a residential use will not cause negative impacts on surrounding industrial operations.
  - c. Location and surrounding land uses will not cause any adverse impacts to the health of future residents.

#### **Sec. 17.5-122. Fees.**

In order to incentivize and assist in the development of additional affordable and workforce housing, there will be no fee for this application process.

First reading conducted on 8<sup>th</sup> day of September 2022.

Adopted by St. Petersburg City Council on second and final reading on the 15<sup>th</sup> day of September 2022.



Gina Driscoll, Chair-Councilmember  
Presiding Officer of the City Council

ATTEST:



Chan Srinivasa, City Clerk

Title Published: Times 1-t 08/31/22



## **Appendix II**

### **Legal Advertisement of Public Hearing**

