

CITY OF ST. PETERSBURG, FLORIDA



AFFORDABLE HOUSING INCENTIVE PLAN – 2023



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 14, 2023

(AHAC Public Hearing was held on November 21, 2023)

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 MEMBERS

2023

1. Rev. Robert V. DePugh** (Second term expires 1/09/2025)
Category: an advocate for low-income persons in connection with affordable housing
**** *In memory of impactful service to the community through AHAC membership since 2015, Rev. R.V. DePugh will be truly missed.***
<https://www.legacy.com/us/obituaries/name/robert-depugh-obituary?id=53357030>
2. Mr. Jack D. Humburg (Second term expires 1/09/2026)
Category: not-for profit provider of affordable housing
3. CHAIR: Mr. Scott Macdonald (Second term expires 1/09/2026)
Category: for profit developer who is actively engaged in the development of affordable housing
4. Mr. Frederic Samson (Second term expires 1/09/2025)
Category: a real estate professional in connection with affordable housing
5. Ms. Jillian Bandes (Second expires 1/09/2026)
Category: an employer within the City of St. Petersburg
6. VICE CHAIR: Mr. Kenneth E. Rush (Second term expires 1/09/2026)
Category: residential home building industry in connection with affordable housing
7. Councilmember Brandi Gabbard (First term expires 1/09/2025)
8. Ms. Alvina Miller (First term expires 3/23/2026)
Category: Banking or mortgage banking industry in connection with affordable housing
9. Ms. Amber Bennett (First term expires 3/23/2026)
Category: A citizen who resides within the jurisdiction of the local governing body making the appointments (also meets the real estate professional category)
10. Mr. Joseph Bonora (First term expires 3/23/2026)
Category: A citizen who represents essential services personnel (ESP includes teachers and educators, other school district, community college, and university employees; police and fire personnel; health care personnel; skilled building trades personnel; automotive mechanics; government employees; and active military)- Mr. Bonora also meets the for profit and non-profit developer category.

**AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)
REPORT TO THE CITY OF ST. PETERSBURG CITY COUNCIL
December 14, 2023**

**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 31st annually. City Council is requested to consider the incentives for possible inclusion in the upcoming three year (2024-2025, 2025-2026, 2026-2027) SHIP Local Housing Assistance Plan (LHAP).

The 2023 AHAC met 7 times during the year to discuss the incentive strategies. 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 21, 2023, 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 eight local incentives that are unique to St. Petersburg, for a total of 19 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 14, 2023. 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 inclusion in the upcoming three year 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 INCENTIVES

OFFERED BY THE CITY OF ST. PETERSBURG, FLORIDA

2023 Annual Review by the Affordable Housing Advisory Committee
Adopted at November 21, 2023 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.			2021 Review: Continue Program currently in place. See attached Certification Form #1.
	2022 status:			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.
	2023 updates and/or recommendations			<p>The union recently moved to approve a pay increase for Permit Technicians to \$45,000 annually. Plans examiner salaries were increased prior to that which should help with employee retention.</p> <p>The Affordable Housing Expedited Building Plan Review and Permitting Procedure is posted on the city webpage here: https://www.stpete.org/business/building_permitting/building_permits.php</p> <p>A new Affordable Housing Liaison has been hired and can be contacted at: AFHpermits@stpete.org</p>

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

2	All allowable fee waivers provided for the development or construction of affordable housing	X		<p>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.</p> <p>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 for affordable housing development & homeless shelters in both the Schedule A and Schedule B Schedule of Fees.</p>
	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>2021 Review: Continue Program currently in place for reduced City permit fees and MIF fees that were reduced. See attached Form #2 & 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>
	2022 status:			<p>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.</p>
	2023 updates and/or recommendations			<p>ORD 535H was adopted 12/1/22 to provide for sewer connection fee waivers for workforce housing units with incomes at or below 120%AMI.</p> <p>AHAC continues to encourage a full MIF waiver for certified affordable low income units to be considered by the Board of County Commissioners.</p>

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

3	The allowance of flexibility in densities for affordable housing	X		<p>2018: The Committee recommended that the City clarify the Workforce Housing Density Program originally adopted in 2007 to</p> <ol style="list-style-type: none"> 1) Clarify the WFH Density Bonus Ordinance to: <ol style="list-style-type: none"> a. more clearly and fairly address how tenant income increases will be handled over time, and b. modify the income categories to 80%, 100%, and 120% of AMI – removing the 150% AMI category 2) Clarify Chapter 16, regarding the calculation of the “payment in lieu” of WFH option to increase the amount collected & deposited to the Housing Capital Improvement Projects (HCIP) Fund for use in developing more affordable housing units. 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 4) Research the possibility of reducing parking requirements when WFH density bonus units are granted. 5) Pursue the “Missing Middle” initiatives in which may bring: <ol style="list-style-type: none"> a. new zoning district (s), and b. the allowance of more 2-12-unit structures which may provide more affordable housing opportunities
	<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>2021 review:</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>

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

	2022 status:			<p>Workforce Housing Density Bonus: AHAC did not vote to amend this incentive in 2022.</p> <p>Payment in Lieu option for Workforce Housing: AHAC acknowledged the adoption of the increase to ½ 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>NTM-1 coverage expansion: AHAC did not vote to amend their recommendation from 2021.</p>
	2023 updates and/or recommendations:			<p>The number of Workforce Housing Density Bonus Unit applications submitted to the City in 2022 & 2023 has increased significantly since the 2020/2021 revisions.</p> <p>On 3/23/2023, City Council voted to approve the proposed rezoning of 2,895 parcels from NT-1 and NT-2 to NTM-1. The additional increase to the payment in lieu of creating WFH fee is not on the City’s workplan presently.</p> <p>AHAC to monitor implementation of the new NTM-1 zoning district and the collection/use of the workforce housing density bonus “payment in lieu” fees.</p>
4	The reservation of infrastructure capacity for housing for very- low income persons, low-income persons, and moderate-income persons		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.			2021 Review: Reviewed, but no action recommended due to the City’s excess capacity.
	2022 status:			Reviewed, but no action recommended due to the City’s excess capacity.
	2023 updates and/or recommendations:			No action required due to the City’s excess capacity.
5	Affordable accessory residential units	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:

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

				<p>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.</p> <p>2) Allowing accessory residential units in NS zones (Neighborhood Suburban)</p>
	<p>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.</p>			<p><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.</p> <p>On 07/14/22, City Council voted to approve expansion of ADUs into NT-3 (Neighborhood Traditional) and NS (Neighborhood Suburban) districts (with certain restrictions).</p>
	<p>2022 status:</p>			<p>AHAC Recommended 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.</p>
	<p>2023 updates and/or recommendations:</p>			<p>AHAC will continue to monitor implementation of newly updated and adopted Ordinances expanding ADUs into NT-3 (Neighborhood Traditional) and NS (Neighborhood Suburban) zoning districts (with certain restrictions) and explore funding sources to pursue a model ADU program. A new link for ADU information has been established which provides information about eligibility and how to design & apply for an ADU permit. It also contains a list of FAQs:</p> <p>https://www.stpete.org/residents/housing/homeowners/accessory_dwelling_units.php</p>
6	<p>The reduction of parking and setback requirements for affordable housing</p>	X		<p>2018: Recommended staff continue to review appropriate reductions to parking requirements based on land use type and geography, e.g. proximity to Future Major Streets, public transit, and relationship to the City's Complete Street initiative.</p>

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

	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.			<p><u>2021 Review:</u> Continue implementation of recently adopted parking incentives for smaller and affordable units.</p> <p>AHAC on 7/20/21 requested staff to continue to look for additional methods to reduce parking requirements even further.</p>
	2022 status:			<p>AHAC recommended 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.</p> <p>On 07/14/22, City Council voted to approve a waiver for ADUs up to 600 square feet and within a 1/8 mile of High Frequency Transit Routes.</p>
	2023 updates and /or recommendations:			<p>AHAC will monitor the success of new ADU parking reductions when within a 1/8 mile of High Frequency Transit Routes. See new handout: https://www.stpete.org/Residents/Housing/Accessory%20Dwelling%20Handout.pdf</p>
7	The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing	X		<p>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</p> <p>2) Explore allowing flexibility based on building typology & lot size</p>
	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.			<p><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.</p>
	2022 status:			<p>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</p>

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

				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. 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.
	2023 updates and/or recommendations:			On 3/23/2023, City Council voted to approve the proposed rezoning of 2,895 parcels from NT-1 and NT-2 to NTM-1. AHAC will monitor implementation.
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 are a.			<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 status:			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.
	2023 updates and /or recommendations:			A Payment in lieu of Sidewalk construction program was to be on hold until after 09/2024 due to SB 250. SB 250 provision related to our city was repealed by the special session and signed by the Governor, and we can now move forward in 2024 with the sidewalk in lieu payment program.

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

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 status:			AHAC did not vote to amend this incentive in 2022.
	2023 updates and /or recommendations:			See attached Housing Affordability Impact Statement that is currently in use by the City.
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.
	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.
	2022 status:			AHAC did not vote to amend this incentive in 2022.
	2023 updates and /or recommendations:			The City will comply with the requirement of SB102 to prepare an inventory of locally owned land suitable for affordable housing. The City owned Land Policy was discussed at the 10/12/2023 Housing Land Use and Transportation (HLUT) Committee of City Council and will be presented to full City Council in November 2023.
11	The support of development near transportation hubs and major employment centers and mixed –use developments	X		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

	Incentives (Pursuant to Chapter 420, F.S)	Program Currently In Place		Status
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				<p>2) Consider future reductions of minimum parking standards as a result of more development near transportation hubs (by land use type/ by geography)</p> <p>3) Consider creation of additional Activity Centers or new Activity Center categories</p>
	<p>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.</p>			<p>2021 Review: 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</p>
	<p>2022 status:</p>			<p>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 allowances in the existing mixed use corridor zoning categories.</p>
	<p>2023 updates and /or recommendations:</p>			<p>AHAC voted to support the stakeholder map distributed at the 8/15 AHAC meeting (minus the Kenwood area) in support of the dual map track action taken at the 9/14/23 HLUT committee meeting. This action would continue to bring forward the existing</p>

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

				Transit Oriented Development staff recommendations while studying the stakeholder map proposals simultaneously.
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ADDITIONAL INCENTIVES OFFERED IN THE CITY OF ST. PETERSBURG

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.
	2020 Status: Option D is still in use and the new Affordable Lot Disposition Program is underway to help create new affordable housing units.			2021 Review: Support continuation of the existing Option D Special Assessment and the Affordable Lot Disposition programs.
	2022 status:			AHAC did not vote to amend this incentive in 2022.
	2023 updates and/or recommendations:			Option D of the special assessment lien waiver process now allows for the \$1,000 administrative fee to be waived if the fee owner records a restrictive covenant to require occupancy by a household with an income at or below 120% AMI. The implementation of the foreclosure affordable lot disposition program continues to be reviewed and refined. The AHAC supports continuation of both programs.
13	The identification of existing sources that can be made available to affordable housing	X		2018: Recommend that the City: 1) Remove the words "Newly Constructed" from Incentive #13

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

	developers to aid in locating eligible home buyers and renters for newly constructed affordable housing units			2) Pursue a slight modification to the City's Housing Web Page suggested to add a tab for Developers.
	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.
	2022 status:			AHAC did not vote to amend this incentive in 2022 as there now exists a "Developer" tab on the City's website with information on all relevant incentives and other resources.
	2023 updates and /or recommendations:			AHAC recommends that the city's website be updated to include links so that potential homebuyers could see what affordable homes are being offered for sale by our developer partners.
14	The Rebates for Residential Rehabs Program			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
	2022 status:			In 2022 AHAC supports the local Rebates for Residential Rehabilitation programs (affordable within the South St Pete CRA) and request consideration of implementation & funding of an affordable rebate program city-wide).
	2023 updates and /or recommendations:			A city-wide Pilot RRR+ program was approved by Resolution 23-205 on April 20, 2023. The AHAC would like to monitor the use of the program and push for more funding, if necessary, as this is a very cost effective use of affordable housing funding.

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15	The creation of a web page link to provide public access to all of the Affordable Housing Incentives approved by the Committee	X(2018 new)		<p>2018: Recommended</p> <p>1) Improving the ability to Search for the existing Incentives on the City's web page.</p> <p>2) Adding a direct web link to the Incentive Plan document, possibly under the new Developer tab and on the main Housing Web page.</p>
	2020 Status: "Developer Incentives" and "Incentive Plan" both have links on the Housing & Community Development webpage			<p><u>2021 Review:</u> Continue to provide this information on the City's webpage.</p>
	2022 status:			AHAC did not vote to amend this incentive in 2022 as the AHIP is available on the Developer tab.
	2023 updates and /or recommendations:			The 2023 Incentive Plan will be posted to the City's website so that it can be searched by either the search term of " Housing documents" or "Developer Incentives".
16	Penny for Pinellas funding for Affordable Housing Land Acquisition This is included in the 2020 Penny Budget	X (new 2017)		<p>Voters in Pinellas passed this initiative in November 2017. In 2018, the AHAC recommended that the City:</p> <p>1) Ask for clarification of the State Surtax Statute regarding its use for the construction 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>
	2022 status:			Staff noted that the first land purchase using the City Penny for Pinellas land acquisition funding occurred in

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

				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.
	2023 updates and /or recommendations:			<p>Program currently in use. There are currently 85 units under construction (Bear Creek) using St. Petersburg' portion of their Penny for Pinellas Land Acquisition Funding. A second development (Ed White) that will produce 70 additional units has been approved for City Penny funding and is awaiting their other funding sources to finalize their closing. Several developments are closing or under construction in 2023 using the County's Penny for Pinellas funds.</p> <p>AHAC will monitor the use of this funding source. And will continue to encourage Pinellas County to consider pro-active acquisition of land that is prime for affordable housing purposes and to an acquisition/ rehabilitation program as possible additional uses for their Penny for Pinellas Land Assembly funds. AHAC would like the City's AHAC chair to request to attend a County AHAC meeting in 2024 in order to convey this request.</p>
17.	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.	X(2020)		2020: New
	2020 Status: AHAC recommends that City Council establish a process that allows the flexibility intended in the HB to be provided			<p>2021 Review: 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>

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

				On 10/14/21, City Council approved Ordinances 486-H and 485-H providing a 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.
	2022 status:			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.
	2023 updates and /or recommendations:			A process for the implementation of HB1339 and SB962 was established in 2022 and updated in 2023 to reflect revisions required due to SB102. AHAC will continue to monitor. (11/30/23 Ordinances attached in Form #4)
18	Implement revisions to Chapter 17.5 site plan approval process to bring into compliance with SB102 Live Local Act		X(new for 2023)	NEW: AHAC Recommendation to Council: eliminate the current 60 unit minimum, to eliminate the 5 acre minimum altogether, waiving Council public hearing to match streamlined/administrative process for SB 102 projects. Note: On 8/24/23, City Council voted to move forward on an amendment to reduce the current 60 unit minimum to 10 units, eliminate the 5-acre minimum altogether, eliminate the public hearing and add a 30-day public comment period. The Public Hearing on the SB102 changes for Chapter 17.5 are scheduled for public hearing on 11/30/2023.
19	Implement a local option property tax abatement process for eligible affordable housing developments		X(new for 2023)	NEW: AHAC Reviewed the draft ordinance and recommended that existing developments must have two of the three special circumstance conditions listed in the draft ordinance and the special circumstances related to insurance should be a 50% insurance increase to receive 50% abatement. The draft ordinance was revised and sent to City Council where it passed after a Public Hearing on November 2, 2023. Ordinance 561-H attached.

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:

- o Aerial & Site Plan
- o 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	_____	_____
TOTAL Units	_____	_____
Number of above Units for 80% AMI or below HH	_____	_____
Number of above Units for 120% AMI or below HH	_____	_____

TABLE II. Rent or Proposed Sales Price for units at or below 80% AMI Units

	<u>Rental</u>	<u>Proposed Rent *</u>	<u>Owner Occupied**</u>	<u>Proposed Sale Price</u>
Efficiency/1 bath				
1 bedroom/ 1 bath				
2 bedroom/ 1 bath				
2 bedroom/ 2 bath				
3 bedroom / 1 bath				
3 bedroom / 2 bath				
4 bedroom / 2 bath				
Total 80% Units				

Total bathrooms for 80% Units = _____

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

	Rental	Proposed Rent *	Owner Occupied**	Proposed Sale Price
Efficiency/1 bath				
1 bedroom/ 1 bath				
2 bedroom/ 1 bath				
2 bedroom/ 2 bath				
3 bedroom / 1 bath				
3 bedroom / 2 bath				
4 bedroom / 2 bath				
Total 120% Units				

Total bathrooms for 120% Units = _____

***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.

TOTAL NUMBER OF WATER CLOSETS ELIGIBLE FOR SEWER CONNECTION WAIVER FOR BUILDING #1 = ____

*** IF MORE THAN 1 BUILDING – ATTACH A SEPARATE FORM FOR EACH BUILDING**

City of St. Petersburg, Florida:

By: _____

Date: _____

Joshua A. Johnson, Director
 Housing & Community Development
 00444721

HUD release: 5/15/2023

Effective: 5/15/2023

**2023 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
Orange County (Orlando-Kissimmee-Sanford MSA) Median: 85,700	30%	18,450	21,100	24,860	30,000	35,140	40,280	45,420	50,560	Refer to HUD		461	494	621	814	1,007	1,199
	50%	30,750	35,150	39,550	43,900	47,450	50,950	54,450	57,950	61,460	64,972	768	823	988	1,141	1,273	1,405
	80%	49,150	56,200	63,200	70,200	75,850	81,450	87,050	92,700	98,336	103,955	1,228	1,316	1,580	1,825	2,036	2,246
	120%	73,800	84,360	94,920	105,360	113,880	122,280	130,680	139,080	147,504	155,933	1,845	1,977	2,373	2,740	3,057	3,372
	140%	86,100	98,420	110,740	122,920	132,860	142,660	152,460	162,260	172,088	181,922	2,152	2,306	2,768	3,197	3,566	3,934
Osceola County (Orlando-Kissimmee-Sanford MSA) Median: 85,700	30%	18,450	21,100	24,860	30,000	35,140	40,280	45,420	50,560	Refer to HUD		461	494	621	814	1,007	1,199
	50%	30,750	35,150	39,550	43,900	47,450	50,950	54,450	57,950	61,460	64,972	768	823	988	1,141	1,273	1,405
	80%	49,150	56,200	63,200	70,200	75,850	81,450	87,050	92,700	98,336	103,955	1,228	1,316	1,580	1,825	2,036	2,246
	120%	73,800	84,360	94,920	105,360	113,880	122,280	130,680	139,080	147,504	155,933	1,845	1,977	2,373	2,740	3,057	3,372
	140%	86,100	98,420	110,740	122,920	132,860	142,660	152,460	162,260	172,088	181,922	2,152	2,306	2,768	3,197	3,566	3,934
Palm Beach County (W Palm Bch-Boca Raton HMFA; Miami-Ft. Lauderdale-West Palm Bch) Median: 98,300	30%	20,450	23,400	26,300	30,000	35,140	40,280	45,420	50,560	Refer to HUD		511	548	657	814	1,007	1,199
	50%	34,100	39,000	43,850	48,700	52,600	56,500	60,400	64,300	68,180	72,076	852	913	1,096	1,266	1,412	1,558
	80%	54,550	62,350	70,150	77,900	84,150	90,400	96,600	102,850	109,088	115,322	1,363	1,461	1,753	2,025	2,260	2,493
	120%	81,840	93,600	105,240	116,880	126,240	135,600	144,960	154,320	163,632	172,982	2,046	2,193	2,631	3,039	3,390	3,741
	140%	95,480	109,200	122,780	136,360	147,280	158,200	169,120	180,040	190,904	201,813	2,387	2,558	3,069	3,545	3,955	4,364
Pasco County (Tampa-St.Petersburg-Clearwater MSA) Median: 89,400	30%	18,250	20,850	24,860	30,000	35,140	40,280	45,420	50,560	Refer to HUD		456	488	621	814	1,007	1,199
	50%	30,450	34,800	39,150	43,450	46,950	50,450	53,900	57,400	60,830	64,306	761	815	978	1,130	1,261	1,391
	80%	48,650	55,600	62,550	69,500	75,100	80,650	86,200	91,750	97,328	102,890	1,216	1,303	1,563	1,807	2,016	2,224
	120%	73,080	83,520	93,960	104,280	112,680	121,080	129,360	137,760	145,992	154,334	1,827	1,957	2,349	2,712	3,027	3,339
	140%	85,260	97,440	109,620	121,660	131,460	141,260	150,920	160,720	170,324	180,057	2,131	2,283	2,740	3,164	3,531	3,895
Pinellas County (Tampa-St.Petersburg-Clearwater MSA) Median: 89,400	30%	18,250	20,850	24,860	30,000	35,140	40,280	45,420	50,560	Refer to HUD		456	488	621	814	1,007	1,199
	50%	30,450	34,800	39,150	43,450	46,950	50,450	53,900	57,400	60,830	64,306	761	815	978	1,130	1,261	1,391
	80%	48,650	55,600	62,550	69,500	75,100	80,650	86,200	91,750	97,328	102,890	1,216	1,303	1,563	1,807	2,016	2,224
	120%	73,080	83,520	93,960	104,280	112,680	121,080	129,360	137,760	145,992	154,334	1,827	1,957	2,349	2,712	3,027	3,339
	140%	85,260	97,440	109,620	121,660	131,460	141,260	150,920	160,720	170,324	180,057	2,131	2,283	2,740	3,164	3,531	3,895
Polk County (Lakeland-Winter Haven MSA) Median: 74,300	30%	15,000	19,720	24,860	30,000	35,140	40,280	44,300	47,150	Refer to HUD		375	434	621	814	1,007	1,143
	50%	25,000	28,600	32,150	35,700	38,600	41,450	44,300	47,150	49,980	52,836	625	670	803	928	1,036	1,143
	80%	40,000	45,700	51,400	57,100	61,700	66,250	70,850	75,400	79,968	84,538	1,000	1,071	1,285	1,485	1,656	1,828
	120%	60,000	68,640	77,160	85,680	92,640	99,480	106,320	113,160	119,952	126,806	1,500	1,608	1,929	2,229	2,487	2,743
	140%	70,000	80,080	90,020	99,960	108,080	116,060	124,040	132,020	139,944	147,941	1,750	1,876	2,250	2,600	2,901	3,200

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.

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 Units 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.

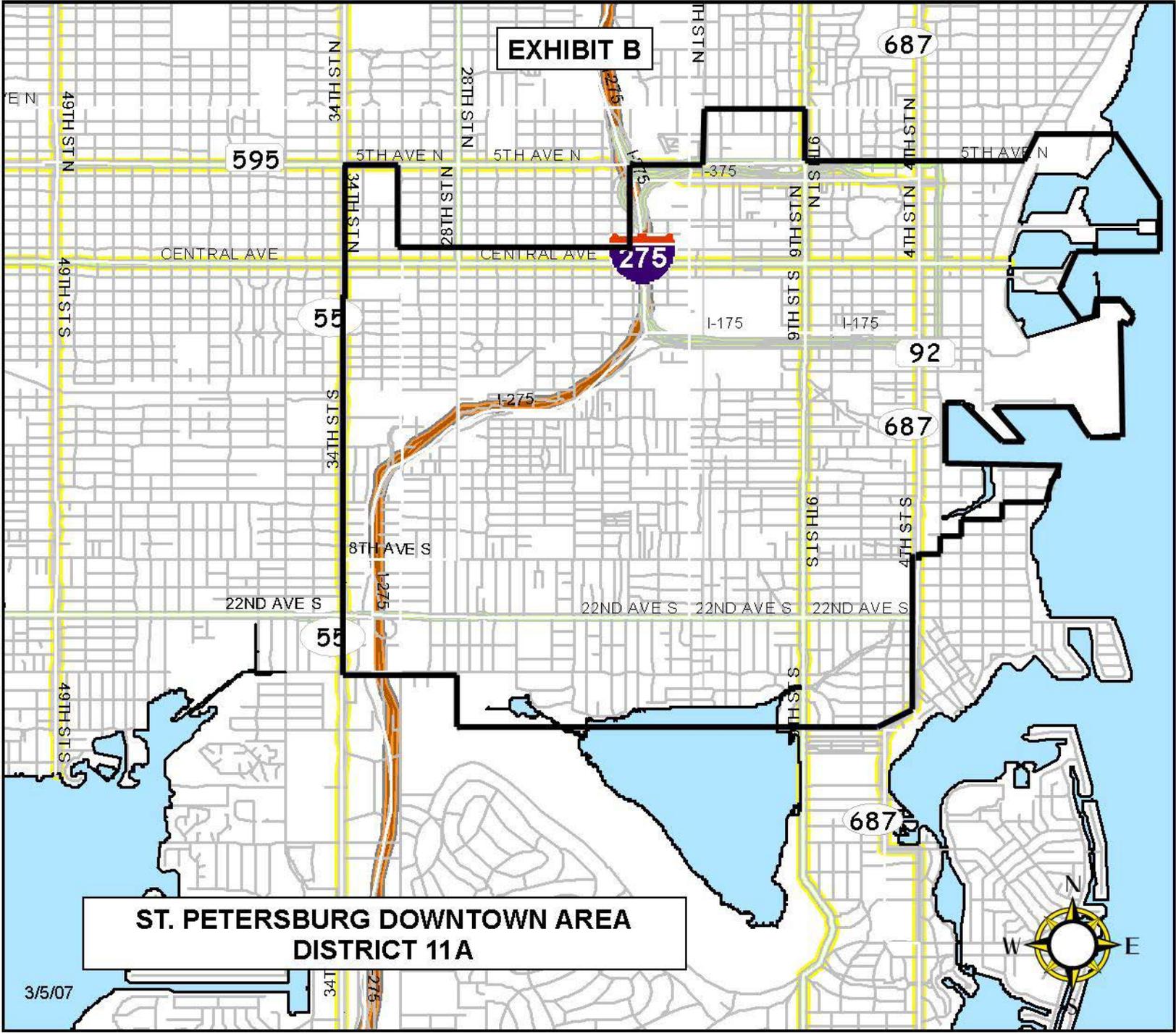
City of St. Petersburg, Florida:

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	Fee Per Unit	Land Use Type	Fee Per Unit
Residential:		Residential:	
Single-family:		Single-family:	
<u>0-1,500 sq. ft.</u>	\$2,066	<u>0-1,500 sq. ft.</u>	\$1,529
<u>1,501 - 2,499 sq. ft.</u>	\$1,356	<u>1,501 - 2,499 sq. ft.</u>	\$1,003
<u>2,500 sq. ft. and over</u>	\$1,679	<u>2,500 sq. ft. and over</u>	\$1,242
0-1,500 sq. ft. LIHH	\$2,066	0-1,500 sq. ft. LIHH	\$1,529
Multi-family	\$882	Multi-family	\$653
Multi-family LIHH*	\$1,420	Multi-family LIHH*	\$972
	\$753		\$557

HUD release: 5/15/2023

Effective: 5/15/2023

**2023 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
Orange County (Orlando-Kissimmee-Sanford MSA) Median: 85,700	30%	18,450	21,100	24,860	30,000	35,140	40,280	45,420	50,560	Refer to HUD		461	494	621	814	1,007	1,199
	50%	30,750	35,150	39,550	43,900	47,450	50,950	54,450	57,950	61,460	64,972	768	823	988	1,141	1,273	1,405
	80%	49,150	56,200	63,200	70,200	75,850	81,450	87,050	92,700	98,336	103,955	1,228	1,316	1,580	1,825	2,036	2,246
	120%	73,800	84,360	94,920	105,360	113,880	122,280	130,680	139,080	147,504	155,933	1,845	1,977	2,373	2,740	3,057	3,372
	140%	86,100	98,420	110,740	122,920	132,860	142,660	152,460	162,260	172,088	181,922	2,152	2,306	2,768	3,197	3,566	3,934
Osceola County (Orlando-Kissimmee-Sanford MSA) Median: 85,700	30%	18,450	21,100	24,860	30,000	35,140	40,280	45,420	50,560	Refer to HUD		461	494	621	814	1,007	1,199
	50%	30,750	35,150	39,550	43,900	47,450	50,950	54,450	57,950	61,460	64,972	768	823	988	1,141	1,273	1,405
	80%	49,150	56,200	63,200	70,200	75,850	81,450	87,050	92,700	98,336	103,955	1,228	1,316	1,580	1,825	2,036	2,246
	120%	73,800	84,360	94,920	105,360	113,880	122,280	130,680	139,080	147,504	155,933	1,845	1,977	2,373	2,740	3,057	3,372
	140%	86,100	98,420	110,740	122,920	132,860	142,660	152,460	162,260	172,088	181,922	2,152	2,306	2,768	3,197	3,566	3,934
Palm Beach County (W Palm Bch-Boca Raton HMFA; Miami-Ft. Lauderdale-West Palm Bch) Median: 98,300	30%	20,450	23,400	26,300	30,000	35,140	40,280	45,420	50,560	Refer to HUD		511	548	657	814	1,007	1,199
	50%	34,100	39,000	43,850	48,700	52,600	56,500	60,400	64,300	68,180	72,076	852	913	1,096	1,266	1,412	1,558
	80%	54,550	62,350	70,150	77,900	84,150	90,400	96,600	102,850	109,088	115,322	1,363	1,461	1,753	2,025	2,260	2,493
	120%	81,840	93,600	105,240	116,880	126,240	135,600	144,960	154,320	163,632	172,982	2,046	2,193	2,631	3,039	3,390	3,741
	140%	95,480	109,200	122,780	136,360	147,280	158,200	169,120	180,040	190,904	201,813	2,387	2,558	3,069	3,545	3,955	4,364
Pasco County (Tampa-St.Petersburg-Clearwater MSA) Median: 89,400	30%	18,250	20,850	24,860	30,000	35,140	40,280	45,420	50,560	Refer to HUD		456	488	621	814	1,007	1,199
	50%	30,450	34,800	39,150	43,450	46,950	50,450	53,900	57,400	60,830	64,306	761	815	978	1,130	1,261	1,391
	80%	48,650	55,600	62,550	69,500	75,100	80,650	86,200	91,750	97,328	102,890	1,216	1,303	1,563	1,807	2,016	2,224
	120%	73,080	83,520	93,960	104,280	112,680	121,080	129,360	137,760	145,992	154,334	1,827	1,957	2,349	2,712	3,027	3,339
	140%	85,260	97,440	109,620	121,660	131,460	141,260	150,920	160,720	170,324	180,057	2,131	2,283	2,740	3,164	3,531	3,895
Pinellas County (Tampa-St.Petersburg-Clearwater MSA) Median: 89,400	30%	18,250	20,850	24,860	30,000	35,140	40,280	45,420	50,560	Refer to HUD		456	488	621	814	1,007	1,199
	50%	30,450	34,800	39,150	43,450	46,950	50,450	53,900	57,400	60,830	64,306	761	815	978	1,130	1,261	1,391
	80%	48,650	55,600	62,550	69,500	75,100	80,650	86,200	91,750	97,328	102,890	1,216	1,303	1,563	1,807	2,016	2,224
	120%	73,080	83,520	93,960	104,280	112,680	121,080	129,360	137,760	145,992	154,334	1,827	1,957	2,349	2,712	3,027	3,339
	140%	85,260	97,440	109,620	121,660	131,460	141,260	150,920	160,720	170,324	180,057	2,131	2,283	2,740	3,164	3,531	3,895
Polk County (Lakeland-Winter Haven MSA) Median: 74,300	30%	15,000	19,720	24,860	30,000	35,140	40,280	44,300	47,150	Refer to HUD		375	434	621	814	1,007	1,143
	50%	25,000	28,600	32,150	35,700	38,600	41,450	44,300	47,150	49,980	52,836	625	670	803	928	1,036	1,143
	80%	40,000	45,700	51,400	57,100	61,700	66,250	70,850	75,400	79,968	84,538	1,000	1,071	1,285	1,485	1,656	1,828
	120%	60,000	68,640	77,160	85,680	92,640	99,480	106,320	113,160	119,952	126,806	1,500	1,608	1,929	2,229	2,487	2,743
	140%	70,000	80,080	90,020	99,960	108,080	116,060	124,040	132,020	139,944	147,941	1,750	1,876	2,250	2,600	2,901	3,200

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.

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

ORDINANCES REVISING CHAPTER 17.5 AND
CHAPTER 16 TO IMPLEMENT SB 102 "LIVE
LOCAL" FLEXIBILITY

Form #4



ST. PETERSBURG CITY COUNCIL

Meeting of November 30, 2023

TO: The Honorable Brandi Gabbard, Chair, and Members of City Council

SUBJECT: Proposed text amendments to the City Code of Ordinances Chapter 16 (Land Development Regulations) and Chapter 17.5 (Housing Assistance) pertaining to an update to the existing alternative housing affordability site plan review process related to SB 102 known as the “Live Local Act”. (City File: LDR 2023-03 and Chapter 17.5 Amendments):

Ordinance 565-H, an ordinance of the City of St. Petersburg, Florida amending the City’s Land Development Regulations; 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) or pursuant to 166.04151(7)(a), Florida Statutes; and providing an effective date.

Ordinance 564-H, an ordinance of the City of St. Petersburg, Florida amending Chapter 17.5 of the City code related to housing assistance; amending the existing process pursuant to Sections 166.04151(6) and 166.04151(7)(a), Florida Statutes, wherein the City may administratively 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.

BACKGROUND:

In 2020, the Florida State Legislature passed House Bill 1339, which included a provision permitting the governing body of a municipality to approve an affordable and/or workforce development on any parcel zoned for residential, commercial or industrial. In 2021, three ordinances were adopted which permitted City Council to review and potentially approve affordable and/or workforce development proposals in Neighborhood Traditional, Neighborhood Suburban, Industrial Traditional and Industrial Suburban zoning districts without requiring a rezoning or change of Future Land Use. The ordinance which included the process and review criteria for City Council to follow is included in Chapter 17.5 of the City Code. In the 2023 legislative session, Senate Bill 102 (SB 102) known as the “Live Local Act” was passed and signed by the governor. SB 102 included the following two subsections (changes shown in strike-through/underline format):

(6) 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 433 defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for ~~residential~~, commercial or industrial use; and

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

The purpose of these amendments is as follows:

1. To bring Chapter 16 into conformance with this statutory change by amending 16.01.040 to delete the “residential” option previously allowed under subsection (6) and to add the language from subsection (7)(a) requiring administrative approval for qualifying projects. The related change to the Comprehensive Plan was approved by City Council on September 28, 2023 (LGCP 2023-02); and
2. Modify the Affordable Housing Site Plan Approval process (Section 17.5-111) in response to SB 102, the “Live Local Act” as follows:
 - Add an Administrative process for 40% Mandatory projects (F.S. Section 166.04151(7)(a)), subject to same minimum review criteria as 30% projects;
 - Establish Neighborhood Suburban Multi-family (NSM) as the standard for Industrial zoning districts;
 - Amend standards for 30% Optional Projects (F.S. Section 166.04151(6)) as follows:
 - Eliminate the 5-acre minimum for industrial zoning districts
 - Reduce 60-unit minimum to 10-unit minimum for industrial zoning districts
 - Change process to Administrative, eliminating the required Public Hearing
 - Add an Appeal process for applicants; and
 - Add a 30-day Public Comment Period

RECOMMENDATION:

Administration: City staff recommends APPROVAL.

Public Input: No public comments have been received at this time. On September 19, 2023, staff presented the changes to the Affordable Housing Advisory Committee. There were no questions or concerns expressed by the committee. The development community has been provided opportunity for comments and questions and none have been received.

Development Review Commission (DRC): On June 7, 2023, the DRC conducted a public hearing regarding the Comprehensive Plan text amendment and by a vote of 6 to 1 made a finding of internal consistency with the City’s Comprehensive Plan.

Previous City Council Action: At the Committee of the Whole meetings on July 27 and August 24, 2023, staff provided presentations on the Live Local Act and options for amending the Affordable Housing Site Plan Review process in Chapter 17.5. The committee voted for staff to bring back the attached ordinance changes.

Recommended City Council Action:

- 1) CONDUCT the second reading and adopt the attached proposed ordinances for November 30, 2023

Attachments: Ordinances and DRC Staff Report

Ord. No. 565-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS; 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) OR PURSUANT TO 166.04151(7)(a), FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

The City of St. Petersburg does ordain:

SECTION ONE. 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~~ commercial or industrial use or pursuant to F.S. 166.04151(7)(a), which states, in pertinent part, a municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. 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 TWO. 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 THREE. 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.

LEGAL:

DEPARTMENT:

Michael J. Dema

Assistant City Attorney
00705466.docx

Al Foster

Ord. No. 564-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING CHAPTER 17.5 OF THE CITY CODE RELATED TO HOUSING ASSISTANCE; AMENDING THE EXISTING PROCESS PURSUANT TO SECTIONS 166.04151(6) AND 166.04151(7(a), FLORIDA STATUTES, WHEREIN THE CITY MAY ADMINISTRATIVELY 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 ONE. 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.

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- (6) To provide for a process pursuant to F.S. §§ 166.04151(6) and 166.04151(7)(a) for ~~City Council~~ administrative review of affordable housing projects that ~~are~~ may not otherwise be 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 TWO. Section 17.5-110. of the St. Petersburg City Code is hereby amended to read as follows:

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~~ commercial and industrial areas of the City, pursuant to F.S. §§ 166.04151(6) and 166.04151(7)(a). 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.

SECTION THREE. Section 17.5-111. of the City Code is hereby amended to read as follows:

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,~~ Commercial Corridor Traditional (CCT), Commercial Corridor Suburban (CCS), Industrial Suburban (IS), Industrial Traditional (IT), Downtown Center (DC) Regional Center (RC), Employment Center(EC), or Institutional Center (IC) ~~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.~~

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- (b) The development proposal submitted for review pursuant to F.S. § 166.04151(6) in an ~~Industrial Traditional or Industrial Suburban~~ IT or IS zoning district shall consist of ~~60~~ 10 or more dwelling units.
- (c) Projects submitted for review pursuant to F.S. § 166.04151(6) ~~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.
- (d) 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 submitted for review pursuant to F.S. § 166.04151(6) ~~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.~~

Notwithstanding the foregoing, development proposals submitted for review pursuant to F.S. § 166.04151(7)(a) shall designate no less than 40 percent of the proposed dwelling units as affordable to renters at 120 percent of area median income or below for a minimum period of 30 years.

- (e) 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 submitted for review pursuant to F.S. § 166.04151(6) 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.
- (f) For development proposals submitted pursuant to F.S. § 166.04151(7)(a), projects shall have a maximum density of 82 dwelling units per acre and maximum height shall be the highest currently allowed height for a commercial or residential development located within 1 mile of the proposed development or 3 stories, whichever is higher. Projects located in Industrial zoning districts shall follow the land development regulations of the Neighborhood Suburban Multi-family-1 (NSM-1) District; projects located in commercial/mixed-use districts shall follow the district standards of the underlying commercial/mixed-use district.
- (g) There shall be no variances granted to these criteria.
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SECTION FOUR. Section 17.5-114. of the St. Petersburg City Code is hereby amended to read as follows:

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) or § 166.04151(7)(a).

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.~~

SECTION FIVE. Section 17.5-115. of the St. Petersburg City Code is hereby amended to read as follows:

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~~ projects.

(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.

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- 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 on such date as the written notice is mailed 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 withing one-fourth mile of a public educational facility.
 - (6) ~~Failure to provide supplemental notice.~~ Upon receipt of the proof of the written and posted public notice, a 30-day public comment period shall commence. No decision may be rendered by the POD until after the public comment period has expired. The POD may take such comments into consideration in determining whether to approve a project and in establishing the conditions of approval.
 - (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.~~
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- e. ~~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.~~

SECTION SIX. The St. Petersburg City Code is hereby amended by removing Section 17.5-116. in its entirety. Section 17.5-116. shall be marked as reserved.

~~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.~~

SECTION SEVEN. Section 17.5-117. of the St. Petersburg City Code is hereby amended to read as follows:

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.

SECTION EIGHT. The St. Petersburg City Code is hereby amended by removing Section 17.5-118. in its entirety. Section 17.5-118. shall be marked as reserved.

~~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.~~

SECTION NINE. Section 17.5-119. of the St. Petersburg City Code is hereby amended to read as follows:

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

- (a) *Duration of approvals.* Any application submitted for review under this Article 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~~ the POD.
- (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~~ the POD 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.

SECTION TEN. The St. Petersburg City Code is hereby amended by removing Section 17.5-120. in its entirety. Section 17.5-120. shall be marked as reserved.

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.~~

SECTION ELEVEN. Section 17.5-121. of the St. Petersburg City Code is hereby amended to read as follows:

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 identifying the number of affordable units by phases, bedroom sizes and by rent limits for the 80 percent and the 120 percent categories as published annually by the Florida Housing Finance Corporation.

- 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 including any mitigation measures needed to address the health and safety of future residents due to proximity to such 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.
- i. The application shall include a project narrative addressing the applicable standards for review.

(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.~~

Staff review and recommendation. Upon receipt of an affordable housing site plan review application, the POD shall determine whether the application complies with all submittal requirements and the applicable standards for review and the POD shall approve, approve with conditions or deny the application.

- (2) Appeals. A decision of the POD to approve with conditions or deny an application may only be appealed by the applicant to the City Council, whose decision shall be deemed the final decision of the City.

(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 FDOT 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.

SECTION TWELVE. The St. Petersburg City Code is hereby amended by adding a new Section 17.5-123., to read as follows:

Section 17.5-123. - Sunset date.

In accordance with F.S. § 166.04151(7)(j), development proposals submitted for review pursuant to F.S. § 166.04151(7)(a) shall not be accepted on or after October 1, 2033.

SECTION THIRTEEN. Codification. 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 FOURTEEN. 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 FIFTEEN. 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.

LEGAL:

DEPARTMENT:

Assistant City Attorney
00700212.docx



DEVELOPMENT REVIEW COMMISSION

Prepared by the Planning & Development Services Department
For Public Hearing on Tuesday June 7, 2023
at 1:00 p.m. at City Hall in City Council Chambers at 175 5th Street North, St. Petersburg, Florida.

City File: LDR 2023-03 Alternative Housing Affordability Development Process

This is a City-initiated application requesting that the Development Review Commission (“DRC”), in its capacity as the Land Development Regulation Commission (“LDRC”), make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** the following text amendment to the City Code, Chapter 16, Land Development Regulations (“LDRs”).

APPLICANT INFORMATION

APPLICANT: City of St. Petersburg
1 4th Street North
St. Petersburg, Florida 33701

CONTACT: Elizabeth Abernethy, AICP
Director, Planning & Development Services
Elizabeth.Abernethy@stpete.org
727-893-7868

STAFF ANALYSIS

Background

In 2020, the Florida State Legislature passed House Bill 1339, which included a provision permitting the governing body of a municipality to approve an affordable and/or workforce development on any parcel zoned for residential, commercial or industrial. In 2021, three ordinances were adopted which permitted City Council to review and potentially approve affordable and/or workforce development proposals in Neighborhood Traditional, Neighborhood Suburban, Industrial Traditional and Industrial Suburban zoning districts without requiring a rezoning or change of Future Land Use. The ordinance which included the process and review criteria for City Council to follow is included in Chapter 17.5 of the City Code.

In the 2023 legislative session, [Senate Bill 102](#) (SB 102) known as the “Live Local Act” was passed and signed by the governor. SB 102 included the following two subsections (changes shown in strike-through/underline format):

(6) 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 433 defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for ~~residential~~, commercial or industrial use; and

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

The purpose of this amendment is to bring Chapter 16 into conformance with this statutory change by amending 16.01.040 to delete the “residential” option previously allowed under subsection (6) and to add the language from subsection (7)(a) requiring administrative approval for qualifying projects. Concurrently, staff is requesting a change to the Comprehensive Plan which will be reviewed by the Community Planning & Preservation Commission and City Council.

PROPOSED LDR TEXT AMENDMENT

The proposed amended language is shown below in ~~strike through~~ and underline format.

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~~ commercial or industrial use or pursuant to F.S. 166.04151(7)(a), which states, in pertinent part, a municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004 . 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.

Consistency and Compatibility (with Comprehensive Plan)

Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the LDRC, is responsible for reviewing and making a recommendation to the City Council on all proposed amendments to the LDRs.

The following objectives and policies from the City's Comprehensive Plan are applicable to the attached proposal:

- OBJECTIVE LU21: The City shall, on an ongoing basis, review and consider for adoption, amendments to existing or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.
- H1.1 Provide information, technical assistance, and incentives to the private sector to maintain a housing production capacity sufficient to meet the required production.
- H1.3 - Review ordinances, codes, regulations and the permitting process for the purpose of eliminating excessive and overlapping requirements and resolving conflicting requirements and amending or adding other requirements in order to increase private sector participation in meeting housing needs, while continuing to insure the health, welfare and safety of the residents.

PUBLIC HEARING PROCESS

The ordinance associated with the LDR text amendment requires one (1) public hearing by the Development Review Commission (“DRC”) and one (1) by the City Council.

RECOMMENDATION

Staff recommends that the Development Review Commission, in its capacity as the Land Development Regulation Commission, make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** of the City Code, Chapter 16 LDR text amendment described herein.

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: Planning & Development Services Development

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

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2023-04).

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:

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:

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.)

Elizabeth Abernethy
Planning & Development Services Director (signature)

6.01.23
Date

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

ATTACHMENTS TO AHAC INCENTIVES CHART

ADOPTED ORDINANCE 561-H ESTABLISHES
LOCAL TAX ABATEMENT PROGRAM

Form #5

ORDINANCE NO. 561-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE CITY CODE TO CREATE A NEW CHAPTER 28 – HOUSING; CREATING CHAPTER 28, ARTICLE I. IN GENERAL; PROVIDING DEFINITIONS; CREATING CHAPTER 28 ARTICLE II. AFFORDABLE HOUSING TAX RELIEF; PROVIDING AUTHORITY; PROVIDING APPLICABILITY; PROVIDING A PROCESS FOR USE; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2023, SB 102, also known as the Live Local Act, was passed by the Florida Legislature and signed by the Governor; and

WHEREAS, the Live Local Act created a new law, Section 196.1979 Fla. Stat., which allows local governments to provide certain tax relief to facilitate affordable housing; and

WHEREAS, the City of St. Petersburg is enacting this ordinance, in compliance with the Live Local Act and under the procedures for adoption of a nonemergency ordinance by a municipal governing body specified in Chapter 166, Florida Statutes, in order to help the continued development and retention of affordable housing in the City.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

SECTION ONE. The St. Petersburg City Code is hereby amended to create a new Chapter 28 be titled “Housing”.

SECTION TWO. Chapter 28 of the St. Petersburg City Code is hereby amended to add a new Article I. In General to read as follows:

Article I. IN GENERAL

Section 28-200 – Definitions

For the purpose of this Chapter 28 only, the following words shall have the following meanings:

Affordable Unit means a single “dwelling unit” as defined by Section 83.43(2), Florida Statutes, which is used by natural persons or families whose annual household income is not more than 60 percent AMI.

Affordable Property means all of the Affordable Units which are eligible for an Exemption in a single Development combined. The Affordable Property may be the entire Development or a portion thereof.

Application means a written submittal to the City for consideration for an Exemption under this Article II, in a form prescribed by either the POD or FHFC.

Area median income or *AMI* means the median income for the Tampa/St. Petersburg/Clearwater metropolitan statistical area (MSA) which is adjusted for the household size as calculated and published annually by the United States Department of Housing and Urban Development.

City Taxes means all municipal ad valorem taxes, as levied by the City under Chapter 166, Florida Statutes, levied on real property for which an Application is made.

Code Violations means either (i) a Municipal Ordinance Violation that is disposed of in any manner other than a dismissal or finding of not guilty by a court, or (ii) a finding of violation by the City's Code Enforcement Board.

Development means the entirety of the contiguous real property owned by the Owner which contains Affordable Housing for which an Application is made.

Exemption means relief from City Taxes, as provided in a written document sent to the Owner, after its execution by the POD.

Existing Construction means all Affordable Housing that is not New Construction.

FHFC means the Florida Housing Finance Corporation.

New Construction means Affordable Housing that is first occupied in the calendar year in which an Application was made.

Ongoing Certification means the requirement to provide information, determined appropriate by the POD, to the POD for the duration of the Exemption to ensure compliance with the Exemption.

Owner means the legal owner of the real property for which an Exemption is sought.

Rent means consideration given in exchange for any non-permanent possession of a Unit, or is "Rent", as defined in Florida Statute § 83.43, as amended from time to time.

Rent Limit means (i) the multifamily rental programs income and rent limit chart posted by the Florida Housing Finance Corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development, or (ii) ninety (90) percent of the fair market value rent as determined by a rental market study meeting the requirements of this Article II, whichever is less.

Rental Market Study means a study, made not more than three (3) years before submission of the Application, which identifies the fair market value rent of each unit for which a property owner seeks an exemption, made by a certified general appraiser, as defined in s. 475.611, who is independent of the property owner who requests a rental market study. Such Rental Market Study and the appraiser providing such must comply with the standards of professional practice pursuant

to part II of chapter 475 and use comparable property within the same geographic area and of the same type as the property for which the exemption is sought.

Renters means those who occupy a Unit, which they do not own, in exchange for consideration and by virtue of an agreement with the owner of such residential property or are a “Tenant” as defined in Florida Statute § 83.43, as amended from time to time.

Special Circumstance means an owner can demonstrate, to the sole and absolute satisfaction of the POD, it has at least two of the following circumstances: (i) extended the period of affordability period of the Affordable Housing by the addition of a minimum of fifteen (15) years of affordability, (ii) have made considerable and substantial renovations to the Affordable Housing such that the renovations would qualify as a “Substantial Rehabilitation” under the definition in Fla. Admin. Code 67-48.002, or (iii) can demonstrate an increase of insurance rates of more than 50% over the average rate of the immediately preceding three (3) years.

Unit means any portion of a multifamily development which serves as a residential dwelling for an individual person or single family, or is a “Dwelling Unit”, as defined in Florida Statute § 83.43, as amended from time to time.

SECTION THREE. Sections 28-2 through 28-199 of the St. Petersburg City Code shall be marked as Reserved .

SECTION FOUR. Chapter 28 of the St. Petersburg City Code is hereby amended to add a new Article II. Affordable Housing Tax Relief to read as follows:

Article II. AFFORDABLE HOUSING TAX RELIEF

Section 28-200 – Authority

This Article has been enacted pursuant to Section 196.1979, Florida Statutes and the Home Rule powers of the City and authority of F.S. Ch. 162, Pt. II.

Section 28-201. Findings

The City Council hereby makes the following findings:

- (a) Affordable Housing is an essential component of individual and community well-being, yet thousands of Pinellas County residents remain unhoused.
- (b) Rental units are an important part of the City’s available housing stock and renting continues to grow in popularity among City residents.
- (c) Providing tax relief, as authorized by statute, will help facilitate the construction of more affordable rental units and the retention of existing units that may otherwise be converted to market rate.

(d) The provisions of this ordinance will help to further the goals of promoting the health, safety, and welfare of all citizens in St. Petersburg.

Section 28-202. Applicability; non-applicability

Unless specifically enumerated, the provisions of this Article shall apply to multifamily projects in which all the following apply:

- (a) the Development contains 50 or more Units, at least twenty percent (20%) of which are used by natural persons or families whose annual household income is not more than 60 percent AMI;
- (b) such Affordable Units are rented for an amount no greater than the amount as specified by the most recent Rent Limit;
- (c) the Development has not been cited for code violations on three or more occasions in the 24 months before the submission of an Application;
- (d) any cited code violations related to the Development have been properly remedied and closed to compliance by the Owner before the submission of an Application; and
- (e) the Development has no unpaid fines or charges relating to cited code violations at the time the Exemption is granted by the City.

Section 28-204. Application

- (a) The POD shall determine the yearly deadline for Applications, for each calendar year, and publish such date on the City's website, as well as information on how to apply.
- (b) The POD shall accept and review Applications, determine whether or not the Affordable Property is eligible for an Exemption, and determine the terms of the Exemption based on the following
 - (1) For Affordable Housing in New Construction:
 - (i) if all of the Units in a Development are Affordable Units, the portions of the Development that are Affordable Housing are eligible for an Exemption relieving the Affordable Housing of all City Taxes.
 - (ii) if all of the Units in a Development are not Affordable Units, the portions of the Development that are Affordable Housing are eligible for an Exemption relieving such Affordable Housing of 75% of all City Taxes.
 - (2) For Affordable Housing in Existing Construction, if the Owner proves to the POD it has Special Circumstances, as set forth herein, the portions of the Development that are Affordable Housing are eligible for an Exemption relieving it of 50% of City Taxes.

(c) The POD may prescribe the form of the Application, provided the FCFC has not already done so. Notwithstanding as much, the Application shall, at a minimum, include a requirement that the Owner provide (i) the most recently completed Rental Market Study, (ii) a list of the units for which the property owner seeks an Exemption, (iii) the rent amount received by the Owner for each unit for which the Owner seeks an Exemption and, if a unit is vacant and qualifies for an exemption under Section 196.1979, Florida Statutes, the Owner must provide evidence of the published rent amount for the vacant unit. (d) The POD may prescribe the terms of the Exemption. Notwithstanding as much, the Exemption shall, at a minimum, (i) include a requirement that the Affordable Property continue to maintain the criteria outlined in this Article II, (ii) include a requirement that the Owner submit a copy of the Application and Exemption to the Pinellas County Property Appraiser on or before March 1st of each year, (iii) identify the percentage of the assessed value which is exempted from municipal ad valorem taxes, (iv) identify that the exemption applies to natural persons or families meeting the income limits described in this Section, and (v) include a requirement to provide documents for Ongoing Certification.

(e) The POD shall publish a list of all Affordable Property granted an Exemption on the City's website.

Section 28-205. Determination and Appeal

(a) The POD, after review of an Application, shall (i) deny an Exemption for a Affordable Property that does not meet the criteria outlined in this Article II, (ii) grant and execute an Exemption for an Affordable Property that meets the criteria outlined in this Article II, or (iii) request further information from an Owner to make a determination if the Application meets the criteria outlined in this Article II.

(1) If the POD denies an Exemption, it shall provide the Owner with written notice of the denial, including the reason for such determination.

(2) If the POD grants an Exemption, it shall provide a copy of the executed Exemption to both the (i) Owner and (ii) Pinellas County Property Appraiser.

(b) A decision by the POD to grant, deny, or revoke an Exemption may be appealed, by the applicant, to the City Administrator, or their designee, within thirty (30) days.

Section 28-205. Penalties

If the POD determines (i) an Owner is found to submitted false documents to the POD related to either an Application or Ongoing Certification this Article II, (ii) the Development had three or more code violations in a 24-month span after being granted an Exemption, (iii) has a unpaid fine or charge for a code violation for more than ninety (90) consecutive days, or (iv) fails to comply with the terms of the Exemption, the POD may provide written notice to the address of the Owner, set forth in their Application, of an intent to revoke an Exemption and the actions that the Owner can take to correct any deficiencies outlined in the notice. If the Owner does not take the actions outlined by the POD in such notice within 15 days, the POD may revoke the Exemption and notify the Pinellas County Property Appraiser of such revocation. Any owner who has an Exemption revoked is subject to having all Exemptions revoked by the POD, including those of related

entities, as determined by the POD in their sole and absolute discretion, and be barred from making further Applications under this Article II for a period of three years.

Section 28-206. Expiration

This Article II shall expire December 30, 2026, unless renewed pursuant to Section 196.1979, Florida Statutes. Any Exemption granted pursuant to this Article II shall expire after expiration or repeal of either (i) this Article II or (ii) the enacting ordinance.

SECTION FIVE. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is deemed unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provision of this ordinance.

SECTION SIX. Compliance with §166.041(4), Florida Statutes. A business impact estimate was prepared for this ordinance and posted on the City’s website no later than the date the notice of the proposed ordinance was published.

SECTION SEVEN. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective on November 1, 2023. 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 five (5) days after the day on which a successful vote to override the veto is taken or November 1, 2023, whichever occurs later.

First reading conducted on 19th day of October 2023.

Adopted by St. Petersburg City Council on second and final reading on the 2nd day of November 2023.

Brandi Gabbard, Chair-Councilmember
Presiding Officer of the City Council

ATTEST:
Chan Srinivasa, City Clerk



Title Published: Times 1-t 10/18/23

Not vetoed. Effective date November 1, 2023.

Appendix II

Legal Advertisement of Public Hearing

Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Pinellas, Hillsborough, Pasco,
Hernando Citrus

} ss

Before the undersigned authority personally appeared **Deirdre Bonett** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: NOTICE OF AFFORDABLE HOUSING ADVISORY COMMITTEE** was published in said newspaper by print in the issues of: **11/ 1/23** or by publication on the newspaper's website, if authorized, on

Affiant further says the said **Tampa Bay Times** is a newspaper published in **Pinellas, Hillsborough, Pasco, Hernando Citrus** County, Florida and that the said newspaper has heretofore been continuously published in said **Pinellas, Hillsborough, Pasco, Hernando Citrus** County, Florida each day and has been entered as a second class mail matter at the post office in said **Pinellas, Hillsborough, Pasco, Hernando Citrus** County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid not promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

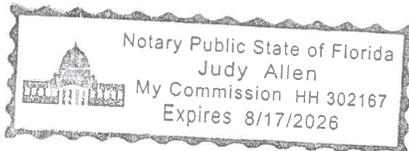
Signature Affiant

Sworn to and subscribed before me this **11/01/2023**

Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



CITY OF ST. PETERSBURG
NOTICE OF AFFORDABLE HOUSING
ADVISORY COMMITTEE (AHAC)
PUBLIC HEARING

The City of St. Petersburg (City) is hereby inviting citizens, representatives of public and private agencies and organizations, and other interested parties to a public hearing convened by the Affordable Housing Advisory Committee (AHAC). The public hearing will be conducted on Tuesday, November 21, 2023, beginning at 3:00 p.m., in the City Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida. Public participation is invited and strongly encouraged. Notice is hereby given that all interested parties may appear at the meeting and be heard by the AHAC.

The City receives State Housing Initiatives Partnership (SHIP) program funding from the State of Florida for use in implementing programs to produce and preserve affordable housing. The program is administered by the Florida Housing Finance Corporation statewide. After a review and evaluation of established policies, procedures, ordinances, and other documents, the AHAC will recommend specific actions to encourage or facilitate the development of affordable housing within the City.

The purpose of the public hearing is to receive comments on the incentive strategy updates and/or recommendations proposed by the AHAC. The following is a summary of the incentives:

1) Expedite building permit reviews for affordable housing development to a greater degree than other projects. Continue the 10 day goal for initial comments, with a 5 day goal for subsequent comments. An Affordable Housing Liaison has been hired to track all Certified Affordable Housing Projects. Process is published at:

https://www.stpete.org/business/building_permits/building_permits.php

2) Continue to provide the reduced Multi-modal Impact Fee (MIF) and the sewer connection fee waiver for the development or construction of affordable housing. Continue to pursue County consideration of a future full waiver of the Multi-modal Impact Fee (MIF) for affordable housing developments.

3) Allow flexibility in densities and/or flexible lot configurations for affordable housing. AHAC to monitor implementation of the new NTM-1 Zoning District (Neighborhood Traditional Multi-Family) and the collection/use of the workforce housing density bonus "payment in lieu" fees.

4) Reservation of infrastructure capacity for housing for very-low, low-, and moderate-income persons reviewed, but not recommended due to the City's excess capacity.

5) Continue implementation of newly updated and adopted Ordinances expanding ADUs into NT-3 (Neighborhood Traditional) and NS (Neighborhood Suburban) zoning districts (with certain restrictions) and explore funding sources to pursue a model ADU program. A new link for ADU information has been established:

https://www.stpete.org/residents/housing/homeowners/accessory_dwelling_units.php

6) Reduction of parking and setback requirements for affordable housing. City provides reduced parking for smaller and affordable units. AHAC will monitor the success of new ADU parking reductions when within a 1/8 mile of High Frequency Transit Routes. See new handout:

<https://www.stpete.org/Residents/Housing/Accessory%20Dwelling%20Handout.pdf>

7) Continue to explore flexible lot configurations and zero lot line configurations based on building typology & lot size. AHAC to monitor implementation of the new NTM-1 zoning district regulations.

8) Request that a "payment in lieu of sidewalk construction" fund/process be established and if possible, the funds should be used towards affordable housing.(on hold due to SB250).

9) Continue the process which local government considers the impact, before adoption, of policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

10) Preparation of an inventory of locally owned land suitable for affordable housing: The City will comply with SB102 and will bring a formal City owned land policy to City Council in 2023.

11) Support development near transportation hubs and major employment centers and mixed-use developments.

12) Support continuation of the existing Option D Special Assessment waiver process and the Affordable Lot Disposition program to incentivize the creation of additional affordable housing.

13) Continue to promote programs to assist affordable housing developers and provide links on the city's webpage so that potential homebuyers could see what affordable homes are being offered for sale by our developer partners.

14) Support the local Rebates for Residential Rehabilitation programs (affordable within the South St Pete CRA and a new city-wide pilot RRR+). AHAC will monitor funding levels of these programs.

15) The 2023 Incentive Plan will be posted to the City's website so that it can be searched by either the search term of "Housing documents" or "Developer Incentives".

16) Continue to provide Penny for Pinellas funding for Affordable Housing Land Acquisition and encourage Pinellas County to consider pro-active acquisition of land prime for affordable housing purposed and to consider an acquisition/rehabilitation program as possible additional uses for their Penny for Pinellas Land Assembly funds.

17) Establish a process for the review and monitoring of implementation of HB-1339 and SB 962 providing flexibility of land uses for affordable housing development purposes and explore opportunities for increased applicability- A process was established and updated by SB102.

18) Implement revisions to Chapter 17.5 site plan approval process to bring into compliance with SB102 Live Local Act.

19) Implement a local option property tax abatement process for eligible affordable housing developments.

A copy of the proposed AHAC recommendations and actions may be inspected by the public at the office of Housing & Community Development, One Fourth Street North, Ninth Floor, Reception Desk, St. Petersburg, Florida 33701 or on the city's website at <http://www.stpete.org/housing/documents.php>. If you have any questions, or wish to register comments for the record, please visit or write the Department (at the address above) or telephone (727) 892-5563 before the public comment period has closed on November 20, 2023, at 5:00 p.m. or attend the public hearing on November 21, 2023 in City Hall.

The City, in compliance with the Americans with Disabilities Act of 1990 (ADA), provides reasonable accommodations for all official City proceedings. If you wish to request an accommodation under the ADA, you should contact the City Clerk not less than 72 hours prior to the meeting by calling (727) 893-7202 or TDD (727) 892-5259. The City cannot guarantee the availability of persons capable of assisting individuals with a hearing impairment or who are unfamiliar with the English language but will attempt to provide such assistance if requested.