



Staff Report to the St. Petersburg Community Planning & Preservation Commission

Prepared by the Planning & Development Services Department,
Urban Planning and Historic Preservation Division

For Public Hearing and Executive Action on Tuesday, October 12, 2021
at 2:00 p.m. in City Council Chambers, City Hall
175 5th St North, St. Petersburg, FL 33701.

City File: LGCP 2021-01

Residential High (RH) Land Use Designation

This is a private-initiated application requesting the Community Planning and Preservation Commission (“CPPC”), in its capacity as the Local Planning Agency (“LPA”), make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** of the following text amendment to the Comprehensive Plan pertaining to the Residential High (RH) land use category and its allowed locational criteria.

APPLICANT INFORMATION

APPLICANT: **SWD Lake Maggiore, LLC**
360 Central Ave, Suite 1130
St. Petersburg, Florida 33701
Mark.rios@stoneweg.com

AGENT: **Craig Taraszki, Esq.**
Johnson, Pope, Bokor, Ruppel & Burns, LLP
490 1st Ave South, Suite 700
St. Petersburg, Florida 33701
Craigt@jpfirm.com
(727) 999-9900

CITY STAFF: **Britton Wilson, AICP**
Urban Planning and Historic Preservation Division
Planning and Development Services Department
One 4th Street North
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Britton.wilson@stpete.org
(727) 551-3542

REQUEST

The applicant is requesting a Comprehensive Plan text amendment to Chapter 3, Future Land Use Element, Policy LU3.1 that identifies and defines all the Future Land Use categories and designations that are applied to the City’s Future Land Use Map. Specifically, the applicant is requesting to amend Policy LU3.1. subsection

A.5, which speaks to the Residential High (RH) land use designation. The RH land use designation currently allows for higher density residential uses up to 30 units per acre but is limited in location to only those areas that are within or adjacent to activity centers. The applicant is proposing to broaden the RH locational criteria to reflect what is allowed for in the Countywide Rules, which is within or adjacent to activity centers as well as when located on established Multimodal Corridors or Future Transit Corridors that are often in close, walkable, or bikeable proximity to high-intensity communities and supporting services or in areas where use and development characteristics are high density residential in nature. Typically, these areas are in proximity to and may have direct access from the arterial and highway network and are served by transit in a manner that provides a viable alternative to individual automobile use.

The purpose of this text amendment is to support the companion Future Land Use Map amendment (FLUM 63) that is requesting an amendment to the Residential High (RH) designation for land located at 3049 6th Street South, which is not located within or near an activity center but is located on a primary multimodal corridor with premium transit service as designated by the Countywide Land Use Strategy Map and is designated as a future major street on the Future Major Streets Map (Comprehensive Plan Map 20). The property subject to the amendment application is approximately 430 feet from Dr. Martin Luther King Jr Street South to the west, which is also designated as a future major street on the Future Major Streets Map and a supporting multimodal corridor on the Countywide Land Use Strategy Map.

BACKGROUND

The Advantage Pinellas Plan also known as the 2045 Long Range Transportation Plan, identifies multimodal corridors as best suited to connect transportation (all mobility options) to existing and planned housing and workforce to local and regional jobs. The Plan supports redevelopment and transit projects that support these corridors as they are best suited for regional connectivity of housing and employment. They promote travel options and economic redevelopment while protecting established communities. It is also a goal of the Countywide Housing Compact recently approved by the Housing and Land Use committee of City Council on July 15, 2021, to coordinate redevelopment on these corridors to promote improved access to regional transportation services. Additionally, a goal of the StPete2050 Vision Plan theme of Sustainability and Resilience is to reduce vehicle miles traveled and parking demand by increasing development that is supported by high-frequency transit service. The proposed amendment furthers all of these goals by aligning the City's Comprehensive Plan more closely with regional plans in allowing the location of higher density residential when located on multimodal corridors that have the potential to offer viable alternatives to automobile travel while fostering a more equitable distribution of community investments such as transit.

LGCP 2021-01: PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

Comprehensive Plan Chapter 3, Future Land Use Element, Policy LU3.1 subsection A.5. is proposed to be amended (in ~~strike-through~~ and underline format) as follows:

A. Residential Categories

5. Residential High (RH) - Allowing high density residential uses not to exceed the 30 units per net acre; Residential equivalent uses are not to exceed 3 beds per dwelling unit; non-residential uses allowed by the land development regulations up to a floor area ratio of 0.6. Application of this category shall be limited to areas within or adjacent to activity centers; or when abutting Multimodal Corridors or Future Transit Corridors established by the Land Use Component of the Countywide Plan Strategies. An ancillary non-residential use which exceeds three (3) acres, a transportation/utility use which exceeds three (3) acres, or an institutional use (except public educational facilities which are not subject to this threshold) which exceeds five (5) acres, whether alone or when added to existing contiguous like use(s), shall require a Future Land Use map amendment that shall include such use and all contiguous like uses.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed text amendment is applicable to and supported by the following Comprehensive Plan policies:

- LU 2.5 The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locations where excess capacity is available.
- The proposed text amendment will further this policy by allowing for redevelopment of existing sites with higher density residential when located on a multimodal corridor, thereby maximizing excess facility capacity.*
- LU 3.5 The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.
- The proposed text amendment will further this policy by allowing for an increase in taxable property by appropriately encouraging higher residential housing developments on multimodal corridors.*
- LU3.11 More dense residential uses (more than 7.5 units per acre) may be located along (1) passenger rail lines and designated major streets or (2) in close proximity to activity centers where compatible.
- The proposed text amendment furthers this policy by allowing for higher density residential to be located on multimodal corridors, which are also designated as major streets.*
- LU19.3 The land use pattern shall contribute to minimizing travel requirements and anticipate and support increased usage of mass transit systems.
- The proposed text amendment furthers this policy in that allowing for higher density residential developments to be located on multimodal corridors will directly contribute to minimizing travel requirements and support the increased usage of mass transit systems since increased ridership is directly correlated to locational proximity to transit service that the multimodal corridors provide.*
- Additionally, the StPete2050 Vision Plan recognizes that higher density projects along major corridors increase the number of riders and future success of any expanded transit options.*
- LU 20.2 The Future Land Use Element of the St. Petersburg Comprehensive Plan shall be consistent with the Countywide Future Land Use Plan, including the categories, rules, policies, and procedures thereof.
- The proposed text amendment furthers this policy by aligning the City's Comprehensive Plan more closely with the Countywide plan and other regional plans in allowing the location of higher density residential when located on multimodal corridors that have the potential to offer viable alternatives to automobile travel while fostering a more equitable distribution of community investments such as transit.*
- LU 21.1 The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

The proposed text amendment furthers this policy in that the amendment has resulted in part from city efforts to explore new innovative development regulations while working with the private sector.

- 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.

The proposed text amendment furthers this policy by amending the locational requirement of the Residential High (RH) land use designation, which will allow for greater participation of the private sector in meeting housing needs while continuing to insure the health, welfare and safety of the residents.

- H13.5 The City's LDRs shall continue to support mixed-income housing in or near employment centers and recognize the positive fiscal impacts in transit-accessible, high density locations.

The proposed text amendment furthers this policy by allowing for higher density mixed income housing to be located on transit-accessible multimodal corridors. The StPete2050 Vision Plan recognizes that higher density projects along major corridors increase the number of riders and future success of any expanded transit options. Additionally, a goal of the Plan's Sustainability and Resilience theme is to reduce vehicle miles traveled and parking demand by increasing development that is supported by high-frequency transit service.

CONSISTENCY WITH THE COUNTYWIDE PLAN

Proposed amendments to local future land use plans and land development regulations are required to be consistent with the Countywide Plan Map and the criteria and standards set forth in the Countywide Rules. The proposed text amendment to the Residential High (RH) land use designation to amend the existing locational criteria to allow for a broader application was determined consistent with the Countywide Rules definition and locational characteristics of the RH land use designation (see attached consistency letter provided by the Forward Pinellas staff).

PUBLIC NOTICE

The public hearing notice was published in the Tampa Bay Times on Wednesday, September 29, 2021, in accordance with Florida Statutes, Section 163.3174(1).

PUBLIC HEARING PROCESS

The proposed ordinance associated with the text amendment to the Comprehensive Plan requires one (1) public hearing before the Community Planning & Preservation Commission (CPPC) and two (2) public hearings before City Council. The amendment will also be transmitted for expedited state, regional and county review.

SUMMARY

Based on the analysis contained in this report, City staff finds the proposed text amendment to be internally consistent to the Comprehensive Plan. The proposed amendments further provisions of the Future Land Use and Housing Elements with the goal of providing a variety of housing needs across the economic spectrum.

Additionally, the proposed amendment aligns the City's Comprehensive Plan more closely with regional plans and the StPete2050 Vision Plan by allowing the location of higher density residential when located on multimodal corridors that have the potential to offer viable alternatives to automobile travel while fostering a more equitable distribution of community investments such as transit.

RECOMMENDATION

Staff recommends that the Community Planning and Preservation Commission (CPPC), in its capacity as the Local Planning Agency, make a finding of consistency with the Comprehensive Plan and recommend the City Council APPROVAL of the Comprehensive Plan text amendment described herein.

ATTACHMENTS

1. Application
2. Letter of Consistency with the Countywide Rules dated June 25, 2021



ATTACHMENT NO. 1

Application



**JOHNSON
POPE
BOKOR
RUPPEL &
BURNS, LLP**

COUNSELORS AT LAW

TAMPA ■ CLEARWATER ■ ST. PETERSBURG

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490 1st Avenue S, Suite 700
St. Petersburg, FL 33701
Phone: (727) 999-9900
E-mail: CraigT@jpfirm.com

FILE NO.: 068239.143313

June 3, 2021

via E-Mail and Hand Delivery

Elizabeth Abernethy
Planning & Development Services Department
City of St. Petersburg
One 4th Street North, 8th Floor
St. Petersburg, FL 33731-2842
elizabeth.abernethy@stpete.org

Re: Private request to amend the Comprehensive Plan, Future Land Use Element
Residential High (RH) Future Land Use Category

Dear Elizabeth:

On behalf of our client, SWD Lake Maggiore LLC, let this letter serve as a request to amend Policy LU3.1, Section A.5, of the Future Land Use Element of City of St. Petersburg's Comprehensive Plan to allow the location of the Residential High (RH) future land use category consistent with the Residential High (RH) land use category of the Countywide Rules. The proposed amended text is attached hereto as Exhibit "A" and the relevant excerpt of the Countywide Rules is attached hereto as Exhibit "B".

The required \$2,000.00 application fee was included in the check for the Rezoning/FLU application, which was submitted concurrently under separate cover. Please confirm your receipt and let me know if you have any questions or require any additional information. We look forward to working with you on this effort.

Very truly yours,
JOHNSON, POPE, BOKOR,
RUPPEL & BURNS, LLP

Craig A. Taraszki

Attachments (3)

cc: Derek Kilborn (derek.kilborn@stpete.org)
Jennifer Bryla (jennifer.bryla@stpete.org)
Mark Rios (mark.rios@stoneweg.com)

AFFIDAVIT TO AUTHORIZE AGENT

STATE OF FLORIDA
COUNTY OF PINELLAS

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: SWD LAKE MAGGIORE LLC, a Delaware limited liability company

This property constitutes the property for which the following request is made:

Property Address: 3049 6th Street South

Parcel ID Number: 31-31-17-08244-000-0101 and 31-31-17-08244-000-0102

Request: City Comprehensive Plan text amendment (RH Future Land Use), city rezoning, city Future Land Use Map amendment, and Countywide Plan Map amendment

The undersigned have appointed and do appoint the following agents to execute any application(s) or other documentation necessary to effectuate such applications(s):

Agent's Names: Craig A. Taraszki, Esq.
Johnson, Pope, Bokor, Ruppel & Burns, LLP

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (Owner): _____

Printed Name: Patrick Richard, Its Manager

SWORN TO AND SUBSCRIBED before me, by means of physical presence or online notarization, this 13th day of May, 2021, by Patrick Richard, the Manager of SWD Lake Maggiore LLC, a Delaware limited liability company, on behalf of said company, who is personally known to me or has produced _____ as identification.

Notary Public
My Commission Expires:

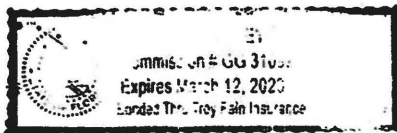


EXHIBIT "A"

(City of St. Petersburg Comprehensive Plan, Chapter 3, Future Land Use Element, Policy LU3.1)

A. Residential Categories

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5. Residential High (RH) - Allowing high density residential uses not to exceed the 30 units per net acre; Residential equivalent uses are not to exceed 3 beds per dwelling unit; non-residential uses allowed by the land development regulations up to a floor area ratio of 0.6. ~~Application of this category shall be limited to areas within or adjacent to activity centers. This category is generally appropriate to locations within or in proximity to activity centers or within one-half mile of Multimodal Corridors or Future Transit Corridors established by the Land Use Component of the Countywide Plan Strategies; often in close, walkable, or bikeable proximity to high-intensity communities and supporting services; or in areas where use and development characteristics are high density residential in nature. These areas are typically in proximity to and may have direct access from the arterial and highway network and are served by transit in a manner that provides an alternative to individual automobile use.~~ An ancillary non-residential use which exceeds three (3) acres, a transportation/utility use which exceeds three (3) acres, or an institutional use (except public educational facilities which are not subject to this threshold) which exceeds five (5) acres, whether alone or when added to existing contiguous like use(s), shall require a Future Land Use map amendment that shall include such use and all contiguous like uses.

EXHIBIT “B”

(Countywide Rules, Article 2, Division 2.3 Countywide Map Categories)

2.3.3.5 Category/Symbol – Residential High (RH).

Purpose – It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a high-density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban and intensive qualities, transportation facilities, including transit, and natural resources of such areas.

Use Characteristics – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Accessory Dwelling Unit; Public Educational Facility; Recreation/Open Space; Community Garden; Agricultural-Light.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
 - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Office; Personal Service/Office Support; Retail Commercial; Transportation/Utility.
 - Uses Subject to Five Acre Maximum – Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2).
- Locational Characteristics – This category is generally appropriate to locations within or in proximity to urban activity centers; often in close, walkable, or bikeable proximity to high-intensity communities and supporting services; or in areas where use and development characteristics are high density residential in nature. These areas are typically in proximity to and may have direct access from the arterial and highway network and are served by transit in a manner that provides an alternative to individual automobile use.

Amendments designating the Residential High category on the Countywide Plan Map are most appropriate within ½ mile of Multimodal Corridors or Future Transit Corridors depicted on the Land Use Strategy Map, and shall be discouraged in other locations.

- Scenic/Noncommercial Corridor (SNCC) – Amendments to Residential High in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 162 trips per day per acre.

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Countywide Rules Determination of Consistency

Type of amendment:	Comprehensive Plan Text Amendment
Submitted by:	St. Petersburg
Date received:	June 24, 2021
Subject of amendment(s):	Comprehensive Plan, Chapter 3, Future Land Use Element, LU3.1
Consistency status:	<p>Amendments to Comprehensive Plan:</p> <ul style="list-style-type: none">• The proposed amendment to the Residential High category amends the existing limitations of the category to locations within or adjacent to activity centers to the broader definition provided for the in Countywide Rules• The proposed amendments are consistent with the Countywide Rules definition and locational characteristics of the Residential High category
Reviewed by:	Nousheen Rahman
Approved by:	<i>Rodney S. Chatman</i>