



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 on Tuesday, December 10, 2019
at 2:00 p.m. in the auditorium of the Sunshine Center,
330 5th St North, St. Petersburg, Florida.

City File: LGCP 2019-03 Coastal High Hazard Area (CHHA)

This is a City-initiated application requesting that 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 amendments to the Comprehensive Plan pertaining to Coastal High Hazard Area (CHHA) provisions.

APPLICANT INFORMATION

APPLICANT: City of St. Petersburg
175 5th Street North
St. Petersburg, Florida 33712

STAFF CONTACT: Britton Wilson, AICP, Planner II
Urban Planning and Historic Preservation Division
Planning and Development Services Department
One – 4th Street North
St. Petersburg, Florida 33711
Britton.Wilson@stpete.org
(727) 551-3542

INTRODUCTION

In an effort to reduce loss of life and property caused by natural disasters, the State of Florida requires coastal local governments to identify a Coastal High Hazard Area (CHHA) in which public expenditures and population growth are limited (section 163.3178, Florida Statutes). The Coastal High Hazard Area is defined as “the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.” Areas included in the CHHA are governed both by state law and the policies adopted to administer those provisions in the local government comprehensive plans.

While the CHHA was originally adopted into the City’s Comprehensive Plan in 1989, the definition and applicable standards have changed several times starting in 2006, 2010, and 2016. These changes have led to

an expansion of the CHHA causing the city to re-evaluate its adopted policies. The most recent update in 2016 more than doubled the CHHA land area from 7,705 acres to 16,328 acres. Many of the City's economic centers that were initially developed outside of the CHHA are now located within the CHHA boundary, restricting redevelopment options.

REQUEST

The City is requesting a series of Coastal High Hazard Area (CHHA) related text amendments to the goals, objectives, policies and general introduction statements of the Future Land Use, Coastal Management and Capital Improvements elements. The focus policy amendment is to Land Use Policy 7.1 that currently prohibits requests for residential density increases within the CHHA. Changes to this policy requires amendments to other supporting policies in other elements of the Comprehensive Plan in order to maintain consistency throughout.

The proposed amendments are based upon and consistent with CHHA provisions of the Countywide Rules, which requires that an approval of a land use amendment within the CHHA be based upon nine specific balancing review criteria. This proposal builds upon those nine criteria by including three more criteria that further initiatives of the City. City Council may at their discretion prioritize or weigh the balancing review criteria and/or make one or more criteria mandatory.

In support of the Comprehensive Plan text amendments, a concurrent text amendment to the Land Development Regulations and Building Code is being processed to establish elevated building design standards of multi-family development within the CHHA and require Hurricane Evacuation and Reentry Plans for hotel and multi-family projects. These amendments are intended to result in structures which are more resilient to storm surge, sea level rise and wind damage, mitigate for service and infrastructure needs during and immediately following a major storm event, and enable safe re-occupation as quickly as possible following an evacuation.

BACKGROUND

About the same time that the CHHA map was updated 2016, City staff was working on the adoption of a new planning area known as the Innovation District, when it became clear that this policy could limit the planned vision for the district. The CHHA overlapped with a portion of the proposed plan and zoning changes for the district. As part of that effort, staff first proposed the amendment to the policy in August of 2017, and then brought it back again last summer with the Innovation District package. Council requested a workshop to address the CHHA, which was held last January, where the concept of adopting elevated design standards was introduced. Over the course of the last two years since the consideration of the comprehensive plan policy change was initiated, there have been several storm events that led to the consideration of imposing the elevated building and design standards. These standards were initially based on a recent effort by the City of Norfolk Virginia, which established Resiliency Quotient requirements for all development within their City, which has similar coastal development issues to St. Petersburg.

After the January 2019 workshop, staff held several meetings with stakeholders and the Urban Land Institute (ULI) provided technical assistance in developing these innovative zoning and development standards. A second workshop was held with City council on July 25th to report the ULI findings, and Council recommended that staff bring back a more refined amendment, based on cost estimates. After a review of the estimates, staff revised the draft LDR amendment, determined that an amendment to the local Building code will also be required and held additional stakeholder meetings before presenting at a final council workshop on October 24th.

The CHHA project timeline is summarized in the below table.

CHHA Project Timeline	
September 2015	Innovation District Visioning Plan
June 2016	2016 CHHA Map update issued by FDEM
March 2017	Innovation District Streetscape & Connectivity Plan
August 2017	Comp Plan public hearing: amend CHHA policy deferred
September 2017	Comp Plan public hearing: amend CHHA policy, canceled (Hurricane Irma)
July 2018	Comp Plan public hearing: amend CHHA policy APPROVED by LPA 4 to 3
August 2018	Comp Plan public hearing: amend CHHA policy, deferred by Council (Hurricane Michael)
January 2019	Council Committee of the Whole to discuss CHHA
February 2019	ULI Tampa grant process
March 2019	Innovation District (minus CHHA parcels) approved by Council
May 2019	Stakeholder Workshop: Main Public Library
July 2019	Council Committee of the Whole to discuss CHHA
October 2019	Stakeholder Workshop: Main Public Library
October 2019	Council Committee of the Whole to discuss CHHA
November 2019	Workshops: CPPC and DRC

LGCP 2019-03: PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

The proposed text amendments to the Comprehensive Plan consists of edits to the Definitions section, the Future Land Use Element, the Coastal Management Element and the Capital Improvements Element and are proposed to be amended (in ~~strike through~~ and underline format) as follows:

Definitions in Chapter 1, General Introduction

Coastal High Hazard Area (CHHA) ~~also referred to as the Coastal High Hazard Zone (CHHZ)~~ – The Area below the elevation of the Category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (“SLOSH”) computerized storm surge model as approved in July 2016.

Future Land Use Element

General Introduction Section 1.7

ISSUE: Coastal Hazard Areas

Coastal High Hazard Area (CHHA) ~~also referred to as the Coastal High Hazard Zone (CHHZ)~~ – The Area below the elevation of the Category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (“SLOSH”) computerized storm surge model as ~~reflected in the most recent Statewide Regional Evacuation Study for the Tampa Bay Region, Storm Tide Atlas Volume 7 prepared by the Tampa Bay Regional Planning Council and approved in August 2010~~ July 2016.

OBJECTIVE LU7:

Development activities of all kinds within the coastal high hazard areas shall be consistent with the goals, objectives and policies of the Coastal Management Element of the Comprehensive Plan.

Policies:

LU7.1 ~~Requests for residential density increases within the Coastal high hazard one shall not be approved.~~ The City shall consider flood potential, sea level rise and hurricane hazards when processing map amendment requests in the Coastal High Hazard (“CHHA”). The City shall deny any request to amend the Future Land Use Map for property within the CHHA that results in an increase of residential density, except that the City may, at its sole and absolute discretion, consider approving such

amendment based upon a balancing of the following criteria, as are determined applicable and significant to the subject amendment.

- A. Access to Emergency Shelter Space and Evacuation Routes – The uses associated with the requested amendment will have access to adequate emergency shelter space as well as evacuation routes with adequate capacities and evacuation clearance times. Nothing in this policy shall be construed as superseding or otherwise modifying the local plan amendment requirement of Section 163.3178(8), Florida Statutes, as follows:
 - 1. The adopted level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale; or
 - 2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
 - 3. Appropriate mitigation is provided, no later than the time of development approval, that will satisfy subparagraph 1 or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. The City and a developer shall enter into a binding agreement to memorialize the mitigation plan.
- B. Utilization of Existing and Planned infrastructure – The requested amendment will result in the utilization of existing infrastructure, as opposed to requiring the expenditure of public funds for the construction of new, unplanned infrastructure with the potential to be damaged by coastal storms.
- C. Utilization of Existing Disturbed Areas – The requested amendment will result in the utilization of existing disturbed areas as opposed to natural areas that buffer existing development for coastal storms.
- D. Maintenance of Scenic Qualities and Improvement of Public Access to Water – The requested amendment will result in the maintenance of scenic qualities, and the improvement of public access, to the Gulf of Mexico, inland waterways (such as Boca Ciega Bay), and Tampa Bay.
- E. Water Dependent Use – The requested amendment is for uses which are water dependent.
- F. Part of Community Redevelopment Plan - The requested amendment is included in a Community Redevelopment Plan, as defined by Florida Statutes for a downtown or other designated redevelopment areas.
- G. Overall Reduction of Density or Intensity – The requested amendment would result in an increase in density or intensity on a single parcel, in concert with corollary amendments which result in the overall reduction of development density or intensity in the surrounding CHHA.
- H. Clustering of Uses – The requested amendment within the CHHA provides for the clustering of uses on a portion of the site outside the CHHA.

- I. Integral Part of Comprehensive Planning Process – The requested amendment has been initiated by the local government as an integral part of its comprehensive planning process, consistent with the local government comprehensive plan.
- J. Location within an Activity Center, Target Employment Center, Special Area Plan or Multi-modal Corridor – The requested amendment is within an existing or proposed Activity Center, Target Employment Center, Special Area Plan or within a Multi-modal Corridor or within one quarter mile of the corridor as designated on the Countywide Plan Map.
- K. Implements the Goals and Policies of the Integrated Sustainability Action Plan (ISAP), Complete Streets and Health in All Policies (HIAP) – The requested amendment incorporates design elements and programs which further the sustainability and resiliency goals and policies of the ISAP, Complete Streets and HIAP.
- L. Reduction of Storm Vulnerable Structures – The requested amendment will result in removal of storm vulnerable structures including but not limited to mobile homes, trailers and residences constructed prior to establishment of FEMA elevation requirements.

- LU7.2 All approval of new proposed development will consider the hurricane evacuation level/location of the proposed development and provide appropriate mitigation.
- LU 7.3 The City will prohibit the new construction of hospitals, nursing homes, and convalescent homes in ~~Evacuation Level A zones, discourage the siting or expansion of these facilities in Evacuation Level B zones~~ the CHHA and limit the expansion of existing sites ~~in these zones~~ to the boundaries of the currently developed lot.
- LU 7.4 The City will prohibit the siting of new mobile home parks within the ~~Evacuation Level A zone~~ CHHA and limit the expansion of existing sites ~~in these zones~~ to the boundaries of the currently developed lot.
- LU7.5 When establishing Future Land Use Plan designations through a Comprehensive Plan amendment for annexed properties located within the Coastal High Hazard Area there shall be no net increase in residential density as compared to the Future Land Use Plan of Pinellas County designation(s) existing at the time of annexation of a property ~~without prior written approval of the state Land planning Agency and Pinellas County~~ unless otherwise compliant with Policy LU7.1.
- LU 7.6 Opportunities to decrease residential development potentials on the remaining vacant tracts in the ~~CHHZ~~ CHHA through plan amendments to less intensive uses, land purchase or transfer of development rights shall be considered.
- LU 7.7 The City will review the Tampa Bay Regional Planning Council’s (TBRPC) Hurricane Evacuation Study for issues that pertain to requests for residential density increases and the general application of residential future land use densities in coastal high hazard areas.

Coastal Management Element

ISSUE: Coastal High Hazard Areas

The coastal high hazard area (“CHHA”) is defined as the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (“SLOSH”) computerized storm surge model as ~~reflected in the most recent Statewide Regional Evacuation Study for the Tampa Bay Region, Storm Tide Atlas Volume 7 prepared by the Tampa Bay Regional Planning Council and approved in August 2010~~ July 2016 and includes areas that have experienced severe damage or are scientifically predicted to experience damage from storm surge, waves, and erosion. The CHHA is shown on Map 15. In a worst case scenario (i.e., Category 5 storm) most of the City would be vulnerable to storm surge. Areas with historical damages are primarily located within the CHHA, as defined in Section 1.7 of the General Definitions in Chapter 1, General Introduction. Growth in the CHHA puts public expenditures and lives at risk.

OBJECTIVE CM10A:

No public funds shall be used for infrastructure ~~and services~~ which subsidize population concentrations in the coastal high hazard area beyond the planned densities identified on the Future Land Use Map other than the improvements identified in the Capital Improvements Element and that which is necessary to support the limited remaining infill development and for overriding health and safety reasons.

Capital Improvements Element

ISSUE: Public expenditure in high hazard zones

The coastal high hazard area includes areas that have experienced severe damage or are scientifically predicted to experience damage from storm surge, waves, and erosion. In a worst case scenario (e.g. Category 5 storm) most of the City would be vulnerable to storm surge. Areas with historical damages are primarily located within the confines of the category 1 storm, referred to in the inventory as evacuation level A. Based on the best available information, the coastal high hazard area in St. Petersburg is defined as the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (“SLOSH”) computerized storm surge model as ~~reflected in the most recent Statewide Regional Evacuation Study for the Tampa Bay Region, Storm Tide Atlas Volume 7 prepared by the Tampa Bay Regional Planning Council and approved in August 2010~~ July 2016. Growth in this area puts public expenditures and lives at risk.

CONCURRENT LAND DEVELOPMENT REGULATIONS (LDR) AMENDMENT

In conjunction with this proposed Comprehensive Plan text amendment are amendments to the City’s Land Development Regulations and Building Code to establish elevated design standards, intended to result in structures which are more resilient to storm surge and sea level rise, mitigate for service and infrastructure needs during and immediately following a major storm event, and enable safe re-occupation as quickly as possible following an evacuation. As currently proposed, these elevated design standards would apply to all new residential multi-family development with the CHHA, regardless of whether or not an increase in density increase was considered. The elevated land development and building code standards are summarized as follows:

Proposed Changes

1. Prepare Hurricane Evacuation and Re-entry Plan: all multi-family and hotel projects
2. Reduce Risk for Water: elevate an additional 2-feet above the required design flood elevation, for a total of 4-feet above Base Flood Elevation (addresses both Sea Level Rise and Storm Surge)

3. Reduce Risk for Wind: construct the building to meet design requirements of next higher classification of Risk Category, e.g. increase from 145 to 155 mph standard, category 2 to 3 building risk category.
4. Enhance Recovery through selection of a Resiliency option: such as provision of on-site storage of solar generated power, increased efficiency HVAC systems, or providing solar or tank-less water heating systems. Projects up to 199 units select one option, projects over 200 units select two options
5. Projects which increase density must mitigate for Hurricane Evacuation Shelter space.

CONSISTENCY with STATE STATUTES

Florida Statute section 163.3178(8) states that a proposed comprehensive plan amendment shall be found in compliance with state coastal high hazard area provisions if:

1. The adopted level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale; or
2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
3. Appropriate mitigation is provided that will satisfy subparagraph 1 or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.

The proposed amendments are consistent with State Statutes as they reflect the evacuation and shelter space requirements while allowing for mitigation for when those requirements cannot be reasonably met.

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. This proposed set of Comprehensive Plan amendments are based upon, and an expansion of, the Coastal High Hazard provisions within the Countywide Rules and are therefore consistent with the below Countywide Rules.

Staff worked closely with Forward Pinellas, members of the County-wide Planners Advisory Committee (PAC) and County and City Emergency Management staff to draft the proposed amendments.

SEC. 4.2.7 COASTAL HIGH HAZARD AREAS.

4.2.7.1 The Pinellas Planning Council and the Countywide Planning Authority shall deny an amendment to the Countywide Plan Map within the Coastal High Hazard Area (CHHA) which results in an increase of density or intensity; except that they may, at their sole and absolute discretion, consider approving such amendment based upon a balancing of the following criteria, as are determined applicable and significant to the subject amendment:

- A. Access to Emergency Shelter Space and Evacuation Routes – The uses associated with the requested amendment will have access to adequate emergency shelter space as well as evacuation routes with adequate capacities and evacuation clearance times.
- B. Utilization of Existing and Planned Infrastructure – The requested amendment will result in the utilization of existing infrastructure, as opposed to requiring the expenditure of public funds for the construction of new, unplanned infrastructure with the potential to be damaged by coastal storms.

C. Utilization of Existing Disturbed Areas – The requested amendment will result in the utilization of existing disturbed areas as opposed to natural areas that buffer existing development from coastal storms.

D. Maintenance of Scenic Qualities and Improvement of Public Access to Water – The requested amendment will result in the maintenance of scenic qualities, and the improvement of public access, to the Gulf of Mexico, inland waterways (such as Boca Ciega Bay), and Tampa Bay.

E. Water Dependent Use – The requested amendment is for uses which are water dependent.

F. Part of Community Redevelopment Plan – The requested amendment is included in a Community Redevelopment Plan, as defined by Florida Statutes for a downtown or other designated redevelopment areas.

G. Overall Reduction of Density or Intensity –The requested amendment would result in an increase in density or intensity on a single parcel, in concert with corollary amendments which result in the overall reduction of development density or intensity in the surrounding CHHA.

H. Clustering of Uses – The requested amendment within the CHHA provides for the clustering of uses on a portion of the site outside the CHHA.

I. Integral Part of Comprehensive Planning Process – The requested amendment has been initiated by the local government as an integral part of its comprehensive planning process, consistent with the local government comprehensive plan.

4.2.7.2 The Pinellas Planning Council and the Countywide Planning Authority shall deny an amendment to the Countywide Plan Map within the CHHA which would permit the siting or expansion of uses that are inconsistent with the CHHA, given their susceptibility to storm damage or special evacuation requirements, including hospitals, nursing homes, convalescent homes, adult living facilities, recreational vehicles, and mobile homes; except that they may, at their sole and absolute discretion, consider approving such amendment based upon a balancing of the criteria in Section 4.2.7.1, A-H, as are determined applicable and significant to the subject amendment.

4.2.7.3 Local government amendments that would result in an increase in density or intensity within the CHHA as discussed in Section 4.2.7.1, or would permit the siting or expansion of uses that are inconsistent with the CHHA as discussed in Section 4.2.7.2 must be reviewed against locally-adopted requirements that are consistent with the balancing criteria found in Section 4.2.7.1 A-H. For Tier II and III amendments, an evaluation of these criteria must be included with a Countywide Plan Map submittal pursuant to Section 6.1.3.2. For Tier I amendments, if a local government has not adopted and utilized the balancing criteria in its review process, any such amendments will be found inconsistent with the Countywide Plan pursuant to the provisions of Article 3.

4.2.7.4 Nothing in these Countywide Rules shall be construed or applied to preclude a local government with jurisdiction from having requirements in the CHHA that are more restrictive than the terms set forth herein.

4.2.7.5 Nothing in these Countywide Rules should be construed as superseding or otherwise modifying the local plan amendment requirements of Section 163.3178(8), Florida Statutes.

City staff finds that the proposed set of CHHA related text amendments is consistent with the Countywide Rules and no further action is anticipated regarding the Countywide Plan.

CONSISTENCY with the COMPREHENSIVE PLAN

The amendment is making direct changes to the Coastal High Hazard Area section of both the Land Use Element, the Coastal Management Element and the Capital Improvements Element. However, the proposed Comprehensive Plan text changes presented in this staff report are consistent with the following objectives and policies:

- 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.
- LU 3.6 Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.
- LU 3.11 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 center where compatible.
- LU 3.17 Future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan.
- LU 5.3 The Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.
- T 1.6 The City shall support high-density mixed-use development and redevelopments in and adjacent to Activity Centers, redevelopment areas and locations that are supported by mass transit to reduce the number and length of automobile trips and encourage transit usage, bicycling and walking.
- CM 1 The City shall require new development and redevelopment along the coastal shoreline to be located and designed to protect or enhance beach shoreline and native vegetation historically represented in St. Petersburg including, mangroves, salt marsh and seagrasses, so that there are no further losses of coastal wetlands related to development, as documented by the Florida Department of Environmental Protection.
- CM 7 For development and redevelopment on the coastal shoreline, the City will give higher priority to siting water-dependent uses over other uses. The order of priority is listed below.
 - 1. Water-dependent uses;
 - 2. Water-related uses;
 - 3. Water-enhanced uses;
 - 4. Non water-dependent uses.
- CM 9.1 The approximately 9 linear miles and approximately 1471 acres of publicly accessible waterfront sites, as inventoried in the coastal element, shall be maintained or improved.
- CM 13 The City shall cooperate with state, regional and county agencies to maintain or reduce hurricane evacuation times, and actively work with the Red Cross in the identification of emergency shelters to provide space for the population in Evacuation Zone A, B and C.

CM 13.2 The City shall implement the strategies identified in Coastal management Element Subsection 6.6, “Measures to Maintain or Reduce Evacuation Times”

PUBLIC NOTICE

Public hearing notice was published in the Tampa Bay Times on Friday, November 29, 2019 in accordance with Florida Statutes, Section 163.3174(1).

PUBLIC HEARING PROCESS

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

SUMMARY

Based upon the analysis contained in this report, City staff finds the proposed text amendments to be consistent with the Comprehensive Plan. While the City’s original policy in the Comprehensive Plan was a responsible attempt to protect the population from potential storm surge; the impact of the 2016 map update warrants new consideration towards a more flexible policy that considers higher building design and emergency management standards.

RECOMMENDATION

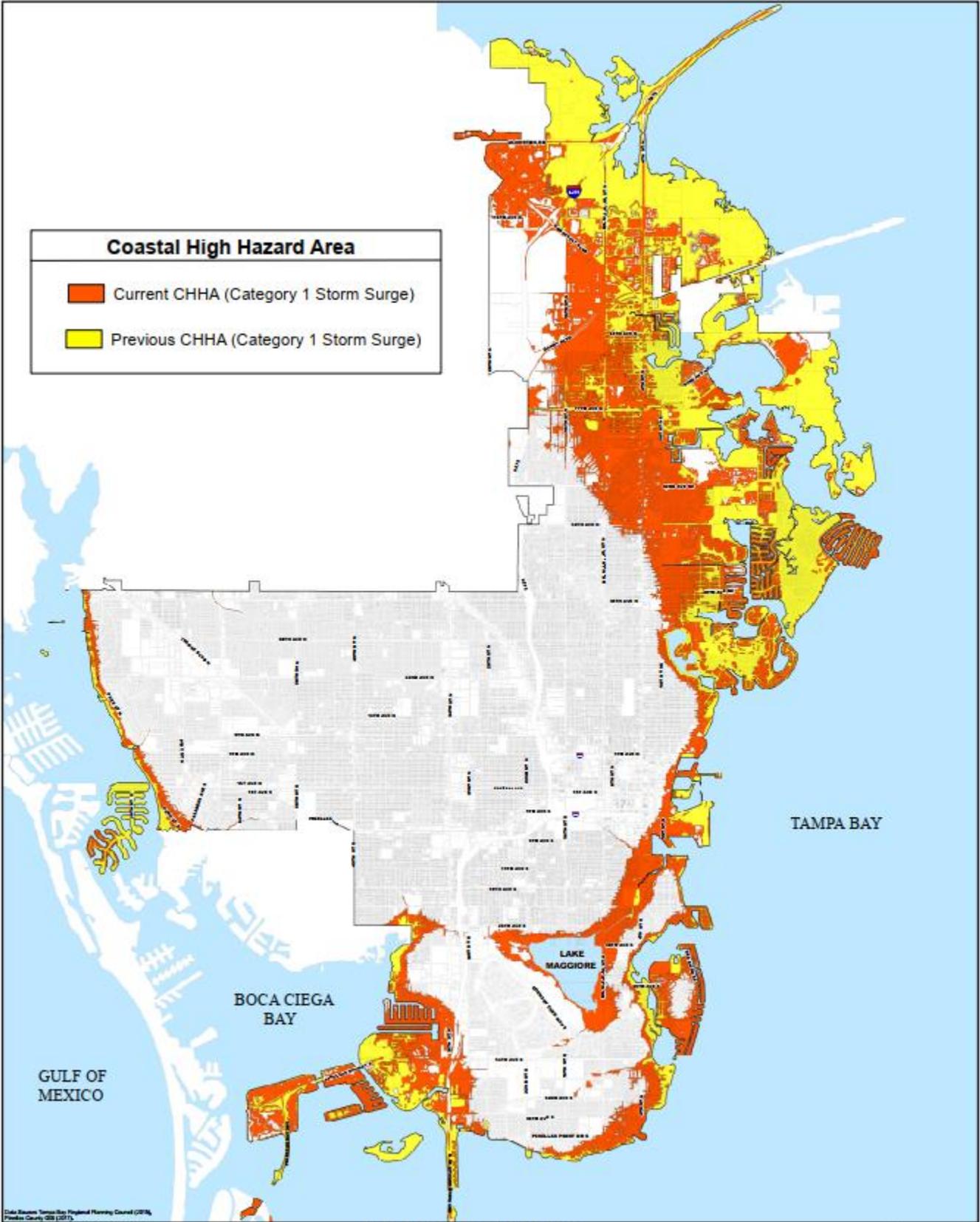
Staff recommends that the Community Planning and Preservation Commission, in its capacity as the Local Planning Agency, make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** of the Comprehensive Plan text amendments described herein.

ATTACHMENTS

1. CHHA Map

Coastal High Hazard Area

- Current CHHA (Category 1 Storm Surge)
- Previous CHHA (Category 1 Storm Surge)



Data Source: Tampa Bay Regional Planning Council (2016), Pinellas County GIS (2017)

March 2017

**City of St. Petersburg
Planning and Economic Development Department**

