PURPOSE

This application is to establish Historic Transfer of Development Rights credits. The St. Petersburg City Code Section 16.70.040.1.17 provides for a Transfer of Development Rights (TDR) for individually designated local historic landmarks or sites. The City recognizes that locally significant landmarks exist on sites which have potential for larger development to occur. For this reason, these buildings are under constant threat of being demolished and replaced with larger structures. The TDR program allows the owners of historically designated properties to benefit from the development potential by allowing the sale of the development rights with the condition that the building or site be restored and retained. The process will be completed in two phases: approval of the establishment of TDR credits for the historic landmark and approval of the transfer or sale of the credits to a receiving site. The establishment and transfer of TDR credits may occur at separate times.

PROCESS

Inspection and Preservation Plan

Following completion of the Application to Establish Credits, the property owner shall provide access to the site for both an internal and external inspection by City staff to determine the condition of the property. Staff shall create a Historic Preservation Plan for each property which shall identify any work that must occur in order to adequately preserve, rehabilitate, and maintain the landmark. This Plan shall be based on the Secretary of the Interior’s Standards for Rehabilitation. If the transfer or sale follows the establishment of credits by more than three years, then a new inspection must be performed and the Preservation Plan updated to reflect current conditions on the property. Each property will be required to complete any restoration or rehabilitation work required by the Plan upon the transfer or sale of the TDR credits.

Calculating the Amount of TDR Credits

For a locally designated historic building, the amount of transferable floor area will be determined by multiplying the gross floor area of the designated building by ten (10). For a landmark site (cemetery or archaeological site), the amount of transferable floor area will be determined by multiplying the gross square footage of the landmark site by five (5).

Community Preservation Commission (CPC) Public Hearing

Following review of the Application and the creation of the Preservation Plan, staff shall prepare a report to the CPC recommending approval, approval with conditions, or denial of the application. A copy shall be sent to the applicant and any person with an interest in the property. Applications will be heard by the CPC on the dates listed on the Community Preservation Commission Schedule. Only completed applications will be accepted and must be filed by 2:00 PM on the application deadline date. The public hearings begin at 1:00 P.M. in the City Council Chambers at City Hall, located at 175 5th Street North. All proceedings are quasi-judicial. Therefore, it is required that the owner or authorized representative attend the hearing. Per the Commission’s Rules of Procedure, a maximum of twelve (12) applications may be scheduled for any given public hearing. Applications are scheduled in the order received. Applications in excess of twelve (12) which require a public hearing shall be scheduled for the next available regular meeting.
Community Preservation Commission Schedule 2008

<table>
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<tr>
<th>CPC HEARING DATE</th>
<th>APPLICATION DEADLINE</th>
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<tr>
<td>February 15, 2008</td>
<td>January 7, 2008</td>
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<td>March 21, 2008</td>
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<td>November 21, 2008</td>
<td>October 6, 2008</td>
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<tr>
<td>December 2008</td>
<td>(No Public Hearing)</td>
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Upon approval by the CPC and compliance with any requirements, conditions, and restrictions that may have been imposed including the receipt of the recorded Protective Covenant, the City shall issue a TDR Credits Certificate indicating the number of units or amount of FAR available for transfer or sale. Approval of a request by the Community Preservation Commission or Historic Preservation Division does not grant or imply other variances from the City Code, FEMA regulations, or other applicable codes. Applicants are advised to contact the Construction Services and Permitting Division at (727) 893-7231 to determine if any other regulations may affect a given proposal.

**Protective Covenant**

Once the TDR credits are established, the owner shall be required to execute and record a declaration of covenants and restrictions (provided by the City). The covenant will restrict the development potential to the size of the historic landmark and any TDR credits not established or transferred. The covenant will run with the property, binding all future owners. If the landmark is removed, any new development may only be constructed up to the size of the historic landmark and any TDR credits not transferred. If the allowable density or intensity of the site increases due to a change in zoning or the City Code, any additional development rights may be used on site, or additional TDR credits may be created by utilizing the same application process. The owner must provide proof that the covenant has been recorded with the Pinellas County Clerk of Circuit Court in order to receive the TDR Credits Certificate indicating the amount of square footage available for sale.

**Transfer or Sale of TDR Credits**

The establishment and transfer of TDR credits may occur at separate times. TDR credits may only be transferred to property located within the DC (Downtown Center) and CCS (Corridor Commercial Suburban) districts. The owner of the local landmark or landmark site with approved TDR credits will need to submit a Request to Transfer TDR Credits application for approval of the transfer or sale of credits to the Historic Preservation Division. The owner of the receiving site will need to obtain approval of the site plan for the parcel from the Development Review Commission (DRC) before credits may be transferred to the receiving parcel. Evidence of all sales or transfers must be recorded with the Clerk of the CPC.
Additional Requirements

Upon the transfer or sale of the credits, each property will be required to complete any restoration or rehabilitation work required by the Plan. If the transfer of TDR credits is conditioned on work to be performed on the landmark, then the owner shall obtain a Certificate of Appropriateness (COA), and all required permits for such work within ninety (90) days from the date that the TDR credits are transferred. No development on the receiving site shall receive a Certificate of Occupancy (either partial or final) until the local landmark has passed a final inspection and/or a Certificate of Occupancy is issued for the restoration or rehabilitation work required by the Preservation Plan. At the transfer or sale of the credits, financial support shall be made to the City’s Historic Preservation Grant program in the amount of $.50 for each square foot of development credit transferred. The cost of any required restoration or rehabilitation work that has been completed shall be credited as part of the financial support for the City’s Historic Preservation Grant Program.

LIST OF REQUIRED SUBMITTALS

- Completed TDR application form
- Application fee: $900
- Survey of the Property
- Evidence of square footage of landmark building or site (Pinellas Property Appraiser records or floor plans/site plans with measured drawings may be used.)
- Stabilization or Maintenance Plan for the Local Landmark and accompanying completed Certificate of Appropriateness (COA) Application
- Current title report
- Ownership and Encumbrance Report (most current within last thirty (30) days), or other sufficient evidence, of all persons with a property interest (e.g. mortgagor, lienholder, joint owner) indicating their support of the establishment of the TDRs
- Release if the subject property is encumbered
- Photographs of subject property
- Tax bill from most recent year
- Request Worksheet (for staff use only)

All data and exhibits submitted in connection with this application become a permanent part of the Public Records of the City of St. Petersburg.
Establishment of TDR-H Credits

Customer submits Application to Establish TDR Credits for a Locally Designated Landmark

Property already landmarked.

Development Services staff performs Building Conditions Assessment and creates Preservation/Maintenance Plan and provides copy to the Owner(s). Owner understands that Preservation/Maintenance Plan will need to be implemented at time of Transfer of Credits.

Owner Decides to Continue Application Process.

Staff reviews application and preservation plan and prepares a report calculating amount of TDR credits to be established. Report to be sent to the CPC and owners.

CPC approves application and Preservation/Maintenance Plan, or approves with conditions, at Public Hearing.

Staff issues Development Credits Certificate and enters Credits available into TDR Log.

TDR owners and purchasers negotiate sale.

Transfer of TDR-H Credits

The Owner and purchaser reach an agreement on the sale of the TDRs.

Owner completes the Request to Transfer TDR Credits and submits to Development Services along with fee for Historic Preservation Trust Fund.

Purchaser pursues site plan approval through the DRC to use the TDR credits. Receiving Site must be in DC or CCS zoning districts.

DRC approves site plan and the credits are transferred. The TDR log is updated to reflect the sale.

Owner of local landmark initiates rehabilitation/maintenance work as required by Preservation/Maintenance Plan. Owner must obtain a COA and permits for such work within 30 days from the date of transfer.

Owner of local landmark completes rehabilitation and receives CO/final inspection

Purchaser submits for permits and receives approvals to build new development on Receiving Site.

New development on Receiving Site completed. New development cannot receive CO until the CO or final inspection approval is completed for the work on the local landmark.
Community Preservation Commission  Historic Transfer of Development Rights
Application to Establish Credits

OWNER INFORMATION (Please attach a list with the same information for additional owners)

Owner Name: ___________________________  Contact Person: ___________________________
Mailing Address: __________________________
City and State: ___________________________  Zip Code: ______________
Phone Number(s):  Day ____________________  Other __________________________
E-mail Address: __________________________

AGENT INFORMATION (if different than property owner)

Agent name: __________________________
Mailing Address: __________________________
City and State: ___________________________  Zip Code: ______________
Phone Number: ______________  E-mail Address: __________________________

LOCAL LANDMARK PROPERTY INFORMATION

Property Address: __________________________
Property Identification Number (PIN): __________________________
Local Landmark Name: __________________________
HPC Designation No.: __________________________  Date Designated: ______________
Existing zoning: __________________________  Existing use: __________________________
Existing future land use designation: __________________________  Total Acreage of Parcel: ______________

For locally designated landmark building/structure

Existing Gross Floor Area (total square footage of building): __________________________
Amount of square footage to be established for TDR Program: __________________________

For locally designated landmark site (i.e. cemetery or archaeological site)

Existing Gross Square Footage of the site: __________________________
Amount of square footage to be established for TDR Program: __________________________

TITLE COMPANY INFORMATION

A current title report must be supplied by the owner as part of the TDR application.

Name of Title Company: __________________________  Phone: __________________________
Address: __________________________
City and State: __________________________  Zip Code: ______________
MORTGAGE COMPANY INFORMATION
A title commitment or other sufficient evidence of all persons with a property interest (e.g. mortgagor, lienholder, joint owner) must be supplied as part of the TDR application.

Are there any liens or mortgages on the property?  □ Yes  □ No

Mortgage Holder’s Name: ___________________________ Phone: ________________
Address: __________________________________________________________________________
City and State: __________________________________________ Zip Code: ______________

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED
PLEASE REFER TO THE “LIST OF REQUIRED SUBMITTALS”

By applying to the Community Preservation Commission, the applicant grants permission for Staff and members of the Community Preservation Commission to visit the subject property to evaluate the request. Applicants with special requests related to timing of site visits should advise Staff in writing at the time of application submittal. Any code violations found by the City Staff or the Community Preservation Commission members during review of the subject case will be referred to the Codes Compliance Assistance Department.

By signing this application, the applicant affirms that all information contained within this application packet has been read and that the information on this application represents an accurate description of the property. Further, the applicant agrees to conform to all conditions of approval. It is understood that approval of this application by the Community Preservation Commission in no way constitutes approval of a building permit or other required City land development regulation approvals. Filing an application does not guarantee approval.

SIGNATURE OF PROPERTY OWNER ____________________________ DATE _____________

PRINT NAME AND TITLE __________________________________________

Note: To accept an agent’s signature, a notarized letter of authorization from the property owner must accompany this application.