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## **240.00 Live Local Act development.**

### **240.01 Applicability.**

- A. The provisions of this Section shall apply to any application for the development of land authorized under Section 166.04151(7), Florida Statutes.
- B. Outside of the Community Redevelopment District (CRD), only properties within the General Office (GO); Neighborhood Commercial (C-1); Restricted Commercial District (C-1A); Flex Business/Industrial (FBI); Light Industrial (M-1); General Industrial (M-3) zoning districts are eligible to use to the provisions of Section 166.04151(7), Florida Statutes.
- C. Within the Community Redevelopment District (CRD), only properties within the Service Corridor - 1 (SC-1), Service Corridor - 2 (SC-2), Main Street Marketplace (MSM) and Community Town Center (CTC) Character Districts are eligible to use the provisions of Section 166.04151(7), Florida Statutes.

(Ord. No. 2024-15, § 2, 11-18-2024)

### **240.02 Definitions.**

Unless specifically defined below, words or phrases used in this Section shall be defined in accordance with Article XVI, Section 271 of this Code.

*Affordable Housing:* A multi-family rental development in which a minimum of forty (40) percent of the residential units meets the definition of affordability in Section 420.0004, Florida Statutes, for a minimum period of thirty (30) years.

*Mixed-Use Residential Development:* The development of a tract of land or building or structure with two (2) or more different uses, one of which must include affordable housing and uses permitted and limited in the underlying zoning district. At a minimum sixty-five (65) percent of the total square footage of the mixed-use development must be residential (lobby, service areas and amenity areas exclusively serving the residential uses shall be considered residential square footage), but no more than eighty (80) percent of the total square footage shall be residential. At a minimum, twenty (20) percent of the total square footage of the development must be nonresidential.

*Transit Stop:* A location designated by the Pinellas Suncoast Transit Authority for buses to make regularly scheduled, periodic stops for the purpose of loading and unloading passengers on an established transit route.

(Ord. No. 2024-15, § 2, 11-18-2024)

### **240.03 Development standards.**

- A. Mixed-Use Residential Development, as defined herein, shall be permitted within the zoning districts listed in Section 240.01 of this Code.
- B. Except for use, height, density, and floor area ratio, the Affordable Housing project shall comply with the applicable development standards of this Code.
- C. The allowable density, floor area ratio, and height of the Affordable Housing development shall conform to the requirements of Section 166.04151(7), Florida Statutes.
- D. All other uses, including nonresidential uses, shall comply with the applicable development standards of this Code and the requirements of the zoning district the project is located in.

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- E. The City may consider reduced parking requirements for eligible projects within one-quarter mile of a Transit Stop accessible from the proposed development.

(Ord. No. 2024-15, § 2, 11-18-2024)

#### **240.04 Affordable housing requirements.**

- A. A Land Use Restriction Agreement (LURA) documenting the affordable housing project's affordability, reporting and monitoring requirements and enforcement in a form acceptable to the City must be executed and recorded prior to issuance of permits for vertical construction of the multi-family residential projects.
- B. During the affordability period, the affordable housing project's owner shall submit to the City such documentation necessary to demonstrate the affordable units meet the criteria as set forth in Section 402.004, Florida Statutes, pursuant to the requirements and schedule established in the LURA.

(Ord. No. 2024-15, § 2, 11-18-2024)

#### **240.05 Administration and enforcement.**

- A. A site plan that complies with Section 166.04151(7), Florida Statutes, and the applicable City Codes shall be subject to administrative approval by the City Manager.
1. Applications for Site Plan approval shall be filed with the Community Development Department on forms provided by the Community Development Director and shall include the required fee established by this Code.
  2. The Director shall forward all applications to the City's Technical Review Committee (TRC) for an administrative and completeness review to determine compliance with the provisions of this Code, the Code of Ordinances, the Comprehensive Plan and all applicable building codes. In no case shall the TRC convene more than three times on a single application. If the applicant fails to respond to TRC comments within 90 days from the date a TRC letter is issued, the Community Development Director may close the file based on insufficient progress. A new application may be filed at any time after a file is closed.
  3. The Community Development Director shall, upon receiving a determination from the TRC that the application is complete and ready for processing, review the application for compliance with the provisions of this Code, the Code of Ordinances, and the Comprehensive Plan, and shall make a written recommendation to the City Manager.
  4. The City Manager shall review the application and recommendation of the Director. The City Manager shall approve, approve with stipulations, or deny the application.
  5. If the development requires a variance for development standards including, but not limited to, setbacks, landscaping and buffering and parking, such request shall be reviewed by the Board of Appeals pursuant to Sections 234.00—234.05 of this Code. Within the Community Redevelopment District, waivers shall require review the City Commission pursuant to Section 100.00 of this Code.
  6. If the development is for a Mixed-Use Residential Development, the nonresidential land uses are subject to conditional use approval in the underlying zoning district, and such request shall be reviewed by the Planning and Zoning Board and City Commission in accordance with Sections 228.00—228.01 of this Code.
- B. The proposed development may not be developed in phases. All residential and nonresidential components of the site plan shall be located on the same or unified lot. A unity of title is required by a document recorded in the office of the Clerk of Court of Pinellas County, stipulating that a lot, lots, or parcel of land

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shall be held under single ownership, and prevent further subdivision, transfer, or conveyance of land in any unit other than in its entirety.

(Ord. No. 2024-15, § 2, 11-18-2024)