

City of St. Petersburg

Florida House of Representatives CS/HB 459 - Building Design

February 2020

We find that design regulations are critical for the following reasons:

1. They allow us to maintain neighborhood character, improving compatibility of new infill homes, which helps protect the investment of all the homeowners in the neighborhood.
2. They allow community support for change; if the community stakeholders understand what new buildings might look like, they can be more widely accepted:
 - Accessory Dwelling Units (ADUs), also commonly called carriage homes, garage apartments or granny flats were reintroduced in 2007 with design standards. Since 2007, City staff have worked with neighborhood associations and their residents to find an agreeable balance between the regulation of certain design elements and the promotion of new construction resulting in more residential units. In 2017 and 2019, slight modifications were made to the design standards which have yielded both strong support among residents and increased construction activity for ADUs. In 2019, the minimum lot size was changed, again with no opposition in part due to the design regulations, allowing over 30,000 lots to qualify for ADUs. If we lose the ability to regulate design, which require the ADUs to match the existing home, it will be more difficult to get support to allow future expansions throughout the City.
 - Neighborhood Traditional Mixed-Residential is a new zoning category adopted in December of 2019 which allows up to four units on a standard single-family lot (AKA “Missing Middle”) with design regulations to keep these buildings in size and character with the existing single-family homes. If we are precluded from having design regulations for duplex units, it will be very unlikely that neighborhoods will support the rezoning necessary to implement this new district.
3. Affordability is not impacted by the regulations. In 2019, the City made housing affordability a top priority instituting a variety of programs and changes to address affordability, including eliminating building fees for homes 1,400 s.f. and less (see Enhanced Incentives for Housing Affordability handout). In partnership with Habitat for Humanity, we approved minor reductions in design regulations for Certified Affordable Homes. Habitat estimated the regulations added \$8,000-\$10,000 cost to a new home. For the typical new home in our city, priced \$600,000 – to over a million, this is less than 2%.

Background: Bill 459 prohibits zoning & development regulations relating to building design for one and two-family buildings with the exception structures listed on National Register of Historic Places or contributing structures to a historic district; or the regulations implement the National Flood Insurance Program. The Bill defines “building design elements” to mean building color, type or style of exterior cladding, style or material of roof structures or porches, exterior nonstructural architectural ornamentation, location of architectural styling or windows or doors, and number, type, and layout of rooms.”

St. Petersburg is a built-out city of over 275,000, with housing stock developed primarily in the 1920’s and 50’s, prior to the advent and more widespread use of HOA’s, covenants and

restrictions. Much of our housing consists of small, two-bedroom homes which don't meet the needs of today's residents. Many of these homes are being replaced and we support the updating and replacement of these structures through our infill development of both vacant lots, additions and razing/replacement of obsolescent structures.

In 2001, a community wide visioning process led to a citywide rezoning in 2007 and adoption of design standards for all development types in all districts. These design regulations are intended to preserve the character of our distinct neighborhoods and promote compatibility for new homes. We do not regulate color or architectural style, but a designer must choose one style, and homes need to be finished on all four sides. In our Neighborhood Traditional districts, which make up about half of our neighborhoods (see attached Neighborhood Single Family Zoning map), we also require design elements such as a front porch, a 12" step-up to the front entry, and a minimum percentage of windows and architectural features.

During the recession of 2007-12, we averaged about 50 new homes per year, and we are now averaging over 275, with some neighborhoods experiencing a 10-20% replacement of the existing housing stock. In 2017, after broad community outreach which included both neighborhood representatives as well as designers and builders, the code was modified with unanimous approval, easing some design standards (percentages of windows and architectural features) while adopting limits on building size, to control scale and mass, and allow for larger homes with bonuses for design elements (see attached "Breaking Down the Big Box House"). In October of 2019, we reported back on the effect of the regulations and demonstrated that these standards are improving compatibility of new homes, while still allowing the size of homes desired by the market (see attached LDR FAR Bonus Amendment presentation).

Proposed Historic Exemption: We are concerned that the exemption for contributing structures will have the unintended consequence of incentivizing the demolition of these structures. If only those structures within the historic district which are deemed contributing are held to design standards, an owner of such a home may opt to demolish the building instead of being held to a standard that would not apply to other non-contributing properties in the same neighborhood.

In summary, St. Petersburg design guidelines do not restrict property rights or limit free market conditions; they allow building a dream home that is accepted and welcomed into our neighborhoods, protecting the rights of all property owners in the neighborhood. We would respectfully request that the pre-emption on design regulations for single-family and two-unit buildings be removed from HB 459. A friendly amendment that would exempt Accessory Dwelling Units and all adopted overlay districts would alleviate most of our concerns, as overlay districts can protect existing neighborhoods without HOA's/Covenants & Restrictions.

Handouts

Neighborhood Single Family Zoning Map

"Breaking Down the Big Box House", *Elizabeth Abernethy, AICP Florida Planning*, Fall 2017

NT Zoning District Significant Changes

LDR FAR Bonus Amendment Presentation

Enhanced Incentives for Housing Affordability