



Pinellas County

Staff Report

File #: 24-0665A, **Version:** 1

Subject:

Case No. LDR-24-01 (First Public Hearing)

An ordinance of Pinellas County, Florida, providing for the amendment of the Pinellas County Land Development Code, Chapter 138 - Zoning, related to definitions and the standards for accessory dwelling units. (Legislative)

Recommended Action:

Conduct a public hearing and take public comments on Case No. LDR-24-01: An ordinance amending Chapter 138 of the Pinellas County Land Development Code, providing revised definitions and standards for accessory dwelling units.

- This is the first of two required public hearings.
- Accessory dwelling units (ADU) provide opportunities for affordable housing and extended family/multigenerational living arrangements.
- The proposed amendments are intended to facilitate additional clarification, incentives, opportunities, and flexibility for ADUs.
- The Local Planning Agency recommended approval of the ordinance (vote 5-1). The dissenting vote was due to concerns over the proposed maximum ADU size. No one from the public appeared in support or opposition.
- A separate ADU Tax Exemption Ordinance will come before the Board of County Commissioners for consideration at a later date.
- This summary outlines key changes to ADU regulations:
 - Increased size: Maximum size outside flood hazard areas increased from 750 to 1,000 square feet. Staff-level review: Larger ADUs subject to staff-level review if criteria met.
 - Affordable housing rental: Both primary dwelling and ADU can be rented if both meet affordability criteria. Parking requirement: ADUs over 750 square feet must have at least one off-street parking space.
 - Height restrictions: detached ADUs cannot exceed primary home height. Development fee waiver: Development review fees waived for ADUs.
 - Single-family home kitchen: Allows second kitchen if certain conditions are met. Multifamily dwelling detachment: Allows detached multifamily units, enabling cottage or tiny home developments on a single property.

Strategic Plan:

Foster Continual Economic Growth and Vitality

4.3 Catalyze redevelopment through planning and regulatory programs

Deliver First Class Services to the Public and our Customers

5.2 Be responsible stewards of the public's resources

Summary:

In residential zoning districts, an ADU is a smaller, independent dwelling unit located on the same property as a primary single-family detached home. ADUs contain their own kitchen, bathroom, and sleeping area. They provide opportunities for affordable housing and extended family/multigenerational living arrangements. ADUs have been allowed in unincorporated Pinellas County for many years. The major update to the Pinellas County Land Development Code in 2019 provided some increased flexibility for them. The intent of this current proposal is to further enhance flexibility, provide additional clarification and incentives, and ultimately provide increased opportunity for new ADUs and overall housing options that can be more affordable.

ADUs are allowed as an accessory use to a single-family detached home in all residential zoning districts (one (1) per parcel). They are also allowed in nonresidential districts as housing for an owner or employee (e.g., a caretaker, security guard, manager, etc.). They are exempt from density requirements and separate metered utility connections are permitted. Mobile homes and RVs are not allowed as ADUs, however tiny homes and container homes can be if they meet building code requirements. Like other structures, ADUs must meet lot coverage, minimum setbacks, and maximum building height requirements of the zoning district.

The proposed amendments were reviewed by both internal and external stakeholders and were vetted by Forward Pinellas staff for consistency with the Countywide Rules.

Background Information:

The LPA recommended approval of the Ordinance during their April 10, 2024, public hearing (vote 5-1).

Fiscal Impact:

N/A

Staff Member Responsible:

Glenn Bailey, Interim Director, Housing and Community Development

Partners:

N/A

Attachments:

LPA Report
Ordinance - Clean Version
Ordinance - Redline Version
Forward Pinellas Letter
Business Impact Estimate
Legal Ad
PowerPoint Presentation