

**MINUTES**  
**CITY OF LARGO**  
**PLANNING BOARD/LOCAL PLANNING AGENCY**  
**REGULAR MEETING**  
**THURSDAY, June 7, 2018**  
**6:00 P. M.**

**Members Present:**

David Puckett, Vice-Chairman  
Michael DiBrizzi  
Eric Gerard  
Olivia Brown  
Kelly Lotz

**Staff Present:**

Isabella Sobel, City Staff Attorney  
Rick Perez, Planning Manager, AICP  
Frances Leong Sharp, Planner II  
Adriana Puentes Shaw, Planner I  
Sam Ball, Planner I

Dottie Mazzucco, Office Administrator

Vice Chair Puckett called the Planning Board (Board) meeting to order at 6:00 p.m. and advised the audience to turn off cell phones. Vice Chair Puckett introduced the City of Largo staff present for the meeting. Vice Chair Puckett explained the policies and procedures of the Planning Board/Local Planning Agency for the evening. Commissioner Smith, was present at the meeting.

The speakers were sworn in by Dottie Mazzucco.

The consideration of the minutes for the April 5, 2018 meeting were presented to the Board for approval.

Motion Made by Mr. Gerard, seconded by Mr. DeBrizzi to approve the April 5, 2018 minutes. **Approved 5/0**

**Public Hearing**

Chair Bowman introduced the first case.

**1. C2D18-002: JUST FOR KIX DANCE STUDIO** – THE APPLICANT, ANDRE BONATO, PROPERTY OWNER, IS REQUESTING APPROVAL FOR A CLASS 2 (CONDITIONAL) USE LOCATED AT 9310 ULMERTON RD (PID#S: 11/30/15/93380/000/0080, 0090, 0100). THE APPLICANT IS REQUESTING TO HAVE AN INDOOR RECREATIONAL USE ON THE SITE, SPECIFICALLY IN THE TENANT SPACE LOCATED IN BUILDING 1 UNIT 100. THE PROPERTY HAS A FUTURE LAND USE DESIGNATION OF INDUSTRIAL GENERAL (IG). **(QUASI-JUDICIAL)**

Presentation by Sam Ball Planner I: The applicant, Andre Bonato, property owner, is requesting approval for a Class II (Conditional) Use located at 9310 Ulmerton Rd. The applicant is requesting to have a dance studio move into a 1,500 sq. ft. unit within a recently constructed multi-tenant Industrial building, specifically in the tenant space locate in Building 1, Unit 100. The property has a Future Land Use designation of Industrial General (IG).

The Comprehensive Development Code (CDC) requires that an active recreation facilities use, such as a dance studio, proposed within (Industrial General Land Use Designation shall be reviewed under the Class II standards of Section 4.12 of the Code and receive Planning Board approval.

Vice Chair Puckett open it up to questions to staff.

Mr. DiBrizzi ask if the building they were moving into is complete and if it was not complete what would happen if they did not move in. City staff responded that the building is complete and already occupied. Ms Brown ask if their would be any safety issues such as loading docks in the area of the entrance. Staff responded that this is the first building and that it is ideal for this type of use.

## Public Hearing

Vice Chair Puckett opened up the meeting to the public.

The applicant Andre Bonato, stated there are other business open, that we have separated the buildings with an island for safety. The building has 2 vacancies in it the company requesting to move in has a manufacturing division open already on stie. They are a world wide company and this is just another division they run to bring in more business for them and the City.

Mr. Gerard ask about how many classes would they be having. Mr. Bonato stated that they have classes 6 days a week no more than 4 times a day.

Vice Chair Puckett closed the public hearing portion and brought it back to the Board for discussion or vote.

There was no further discussion from the Board.

Motion made by Mr. Debrizzi seconded by Mr. Gerard to approve C2D18-002. Approved 5/0

## Public Hearing

**2. COMPREHENSIVE DEVELOPMENT CODE AMENDMENT (CDCA) 18-002 – ORDINANCE NO. 2018-31 OF THE CITY OF LARGO, FLORIDA, AMENDING THE CITY OF LARGO COMPREHENSIVE DEVELOPMENT CODE BY AMENDING TABLE 6-1 AND TABLE 6-2, BY AMENDING CHAPTER 15, SUPPLEMENTAL STANDARDS SECTION 15.2, AND CHAPTER 20, DEFINITIONS AND ACRONYMS TO ESTABLISH SUPPLEMENTAL CRITERIA AND CONDITIONAL USE REQUIREMENTS FOR RESIDENTIAL CARE FACILITIES WHICH INCLUDE ASSISTED LIVING FACILITIES, COMMUNITY RESIDENTIAL HOMES AND HALFWAY HOUSES/REHABILITATION FACILITIES. (ADVISORY)**

Presentation by Adriana Puentes Shaw: March 07, 2017, the City Commission requested that staff research the Institutional Future Land Use designation's allowable uses. The Institutional designation has a series of uses that are allowed under the Comprehensive Development Code (CDC). Table 6-1 *Allowable Uses by Land Use Classification* provides typical examples of allowable uses. Uses are considered to be either allowed, conditional or not allowed. Additionally, some uses that are listed as allowable, may also be required to comply with supplemental standards of the CDC.

A presentation was made to the Community Development Advisory Board (CDAB) on April 24, 2017. The CDAB reviewed the information and identified some issues with the current allowable uses for the Institutional designation. The CDAB recommended that the supplemental standards for the applicable Institutional uses such as halfway houses and similar uses reflect those found in the CDC for Assisted Living Facilities (ALFs), specifically referring to Section 15.2.2 –15.2.5, where it discusses group care homes, recovery homes, residential treatment facilities, nursing homes and similar uses. These restrictions and standards include, but are not limited to, neighborhood character, total number of clients served, parking requirements and signage. The CDAB recommendation would alter one use that is currently listed as allowable under the Institutional designation, Halfway-House/Rehabilitation Facilities, by making it a conditional use when it exceeds six clients.

On June 13<sup>th</sup>, 2017, staff received City Commission direction at a Work Session regarding institutional uses to prepare an amendment to the CDC. Based on the research and CDAB's recommendation, the Commission requested this amendment provide clarification and consistency regarding some permissible institutional type uses and that the appropriate supplemental standards to address unique concerns related to the use be incorporated.

Staff researched other local municipalities as well as the pertinent Florida State Statutes in order to determine consistent category descriptions of the City's current uses. It was concluded that due to the similar nature of these types of uses, a new title should be created within the supplemental standards. This new title, "Residential Treatment Facility", would include individual use standards for Assisted Living Facilities, Community Residential

Homes and Halfway Houses/ Rehabilitation Facilities.

## Chapter 6: Allowable Uses

Table 6-1: Allowable Uses within Land Use Classifications are being amended to clarify the allowable institutional uses within certain City's Future Land Use designations. These uses include Assisted Living Facilities, Community Residential Homes, and Half-way Houses/ Rehabilitation Facilities. Clarifications include the requirement for Conditional Use Approval and references to applicable supplemental standards, "Must comply with supplemental standards, Section 15.2".

Table 6-2: Allowable Uses within the Community Redevelopment Districts (CRD) is being amended to clarify the allowable institutional uses within certain City's Future Land Use designations. These uses include Assisted Living Facilities, Community Residential Homes, and Half-way Houses/ Rehabilitation Facilities. Clarifications include the requirement for Conditional Use Approval and references to applicable supplemental standards, "Must comply with supplemental standards, Section 15.2".

## Chapter 15: Supplemental Standards

### Section 15.2.2- *Applicability:*

The proposed changes to Chapter 15 provide clarification to Section 15.2, Residential Care Facilities. This section was previously titled Assisted Living Facilities (ALFs). The section now includes supplemental standards for Assisted Living Facilities, Community Residential Homes and Halfway Houses/ Rehabilitation Facilities.

### Section 15.2.3- *Restrictions:*

Defines the restrictions for each of the Residential Care Facility categories based on number of clients. These restrictions also take land use and location into consideration.

### Section 15.2.4- *Review Procedures:*

Clarifies when a Class II Conditional Use/ Level III review is required.

### Section 15.2.5- *Parkland and Recreation Facilities Impact Fee:*

References the Parkland and Recreation Facilities Impact Fee section of the CDC.

## Chapter 20: Definitions

Definitions are proposed to be added to Sections 20.1C (*Community Residential Homes*), 20.1E (*Elderly Housing*), 20.1G (*Group Care Home*), and 20.1R (*Recovery Home*)

Revises definitions within Sections 20.1A (*Assisted Living Facility*) and 20.1H (*Halfway-House/Rehabilitation Facility*).

If approved with a favorable recommendation by the Planning Board, staff anticipates bringing the CDC amendment before the City Commission, through Ordinance No. 2018-31, for first reading on June 19, 2018 and second and final reading on July 3, 2018.

Staff is proposing CDC amendments to Table 6-1, Allowable Uses within Land Use Classifications; Table 6-2: Allowable Uses within Land Use Uses Within the CRDs; Section 15.2 Residential Care Facilities.

Vice Chair Puckett opened up the floor for the Board to ask questions.

Mr. Debrizzi asked if this would be in conflict with Chapter 419 or 429 Licensing, are we creating a problem for future and creating more conflicts.

City Staff clarified that we are just trying to clear up some of the language to make things easier to understand. We know that something could come up that we may have to address at a later date.

Mr. Gerard ask about the 2 different titles and wanted to ensure that it was just a typo. City staff did state that this is a typo.

### **Public Hearing**

Vice Chair Puckett opened up the meeting to the public.

Amanda O'Connor 502 7<sup>th</sup> Ave SW Largo, FL. Clean Life has since purchased a residential home and are trying to purchase a second home. Concerned about more residential homes the current one is being used as a office. Statue 419 states 6 or less residential bed homes cannot be more than 1000 feet of each other how do you compare this to a detox center. They are transiting from a detox how do you look that the concentration of these individuals. What protections do we have under fair housing. We are also concerned about the Right Away being vacated as they have applied for this. Who would be the governing body that we could discuss issues with if there are issues that come up.

Tammy Beuthen 604 7<sup>th</sup> Ave SW. I have not issues and appreciate the service the provide. However, I am concerned with the other homes they are purchasing and the right-a-way being vacated. How will this affect my property value as we know that this can happen.

Kathleen Duke 512 8<sup>th</sup> Ave SW Largo, FL. I use the alley to the garage on my property. I now encounter several people walking backing and forth from the properties they own. I ask an individual if they had purchased the property and was told that it is now their business office. I bought a residential home and want it to be a residential neighborhood. People are always walking up and down the alley making my dogs bark.

Vice-Chair Puckett brought it back to the board for discussion.

Mr Dibrizzi ask if this opened up the code for more development. City staff stated that this tightens up the code and makes each case be brought before the Planning Board for approval. Mr. Gerard wanted to ask about the home being used as an office and how would this be addressed. City Staff Attorney Sobel stated that it would be a code enforcement issue and they would have to investigate. Mr. Perez stated that City Commission is aware of the Communities concerns and has ask that we have a neighborhood meeting to discuss their specific concerns. City Staff Attorney Sobel stated the City of Largo when regulating these facilities are protect by the American Disabilities Act, and Fair Housing Act and we must adhere to those and to any Federal and State regulations and that we can not violate those without opening the City up to a lot of liability.

Motion made by Mr. Gerard seconded by Mr. Debrizzi to approve C2D18-002. Approved 5/0

Other Business

There will be no meeting in July.

Meeting was adjourned at 7:42 PM