



City of Largo Agenda Item 7

Meeting Date
07/17/18

Presenter: **Richard Perez, AICP, Planning Manager**

Department: **CD – Community Development**

TITLE:

ORDINANCE NO. 2018-31 - SECOND READING - AMENDMENTS RELATED TO SUPPLEMENTAL CRITERIA AND CONDITIONAL USE REQUIREMENTS FOR RESIDENTIAL CARE FACILITIES INCLUDING ASSISTED LIVING FACILITIES, COMMUNITY RESIDENTIAL HOMES AND HALFWAY HOUSES/REHABILITATION FACILITIES

Staff requests the second reading to be continued to the August 7, 2018 meeting to conduct additional research as directed at the July 3, 2018 meeting, as described below.

CHANGES FROM FIRST READING:

For second reading, staff was directed to determine if Halfway House/Rehab Facilities with seven (7) or more clients should be allowed in the City Home Character Districts and the mixed use land use classifications of Residential/Office/Retail (R/O/R), Residential/Office Limited (R/OL) and Residential/Office General (R/OG).

PREVIOUS CITY COMMISSION ACTION:

Approved on first reading July 3, 2018 (7-0).

Budgeted Amount: **\$0.00** Budget Page No(s).: **NA** Available Amount: **\$0.00** Expenditure Amount: **\$0.00**

Additional Budgetary Information: **Not applicable**

Funding Source(s): **NA** Sufficient Funds Available: Yes No Budget Amendment Required: Yes No Source: **N/A**

City Attorney Reviewed: Yes No N/A Advisory Board Recommendation: For Against N/A Consistent With: Yes No N/A **Comprehensive Plan**

Potential Motion/Direction Requested: **I MOVE TO CONTINUE SECOND AND FINAL READING OF ORDINANCE NO. 2018-31 TO THE AUGUST 7, 2018 CITY COMMISSION MEETING,
OR
I MOVE TO ADOPT/DENY ORDINANCE NO. 2018-31 ON SECOND AND FINAL READING.**

Staff Contact: **Richard Perez, Planning Manager** **x7350** **rperez@largo.com**

Attachments: **First Reading Memo, Ordinance No. 2018-31**



City of Largo Agenda Item 6

Meeting Date
07/03/18

Presenter:

Department:

TITLE:

ORDINANCE NO. 2018-31 - FIRST READING - AMENDMENTS RELATED TO SUPPLEMENTAL CRITERIA AND CONDITIONAL USE REQUIREMENTS FOR RESIDENTIAL CARE FACILITIES INCLUDING ASSISTED LIVING FACILITIES, COMMUNITY RESIDENTIAL HOMES AND HALFWAY HOUSES/REHABILITATION FACILITIES

On March 07, 2017, the City Commission directed staff to research the allowable uses within the Institutional Future Land Use classification, including how they are geographically disbursed throughout the City and the relationship to property classified Residential Future Land Use, to ensure compatibility.

Staff presented the research findings to the Community Development Advisory Board (CDAB) on April 24, 2017 for recommendations. CDAB recommended that the supplemental standards for the applicable Institutional uses such as Halfway Houses/Rehabilitation Facilities 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.

Staff's findings and the CDAB recommendation were presented to the Commission at the June 13th, 2017 work session. The Commission directed staff to prepare an amendment to clarify that the supplemental standards for ALFs are consistently applied to Halfway Houses/Rehabilitation Facilities and address neighborhood compatibility.

(Continued on Page 2)

Budgeted Amount: Budget Page No(s).: Available Amount: Expenditure Amount:

Additional Budgetary Information:

Funding Source(s): Sufficient Funds Available: Yes No Budget Amendment Required: Yes No Source:

City Attorney Reviewed: Yes No N/A
 Advisory Board Recommendation: For Against N/A
 Consistent With: Yes No N/A

Potential Motion/Direction Requested:

Staff Contact:

Attachments:

The Planning Board recommended approval of proposed Ordinance No. 2018-31 at their June 7, 2018 meeting.

Subsequent to the Planning Board recommendation, the City Attorney conducted an additional review that resulted in new and revised language to the proposed amendment of Chapter 15 Supplemental Standards. The new language addresses Federal protections against discrimination, consideration of reasonable accommodations to standards for unforeseen or unique circumstances and clarification of appropriate sign standards.

Assisted Living Facilities, Community Residential Homes and Halfway Houses/ Rehabilitation Facilities are classified as institutional land uses that serve the special needs of individuals in residential-like, institutional settings generally referred to as Residential Care Facilities. While Residential Care Facilities have some similarities to general residential uses, these facilities may have a greater impact upon surrounding uses than similarly sized residential uses. These facilities may vary in size, intensity and scope of services provided on-site. Furthermore, licensing and operation of Residential Care Facilities are subject to various state statutes and rules and administered by different agencies depending on the clientele and the services provided. The CDC Chapter 15 – Supplemental Standards establishes standards for the protection of the health, safety, and welfare of the residents of a facility and the community at large.

The proposed ordinance will amend the Chapter 6 Allowable Use Tables, Chapter 15 Supplemental Standards, and Chapter 20 Definitions to distinguish between the three types of Residential Care Facilities, provide clarification of the applicability of supplemental standards proportionate to the type and intensity of the use, revise existing and include new definitions to appropriately define the type of uses. The proposed changes are more specifically described as follows:

Chapter 6: Allowable Uses

- Table 6-1: Allowable Uses within Land Use Classifications are amended to clarify the allowable institutional uses within certain Future Land Use designations. These uses include Assisted Living Facilities, Community Residential Homes, and Halfway 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) are 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 15.2.1- Purpose: References Federal protections against discrimination based on race, religious view, sex, national origin, familial status, or any person with a disability. Provides a process for requests for reasonable accommodations to the standards within Chapter 15. The City Manager will have the authority to determine, on a case-by-case basis, if a request qualifies for any such accommodation that does not fundamentally alter the nature of the City's zoning regulations and does not impose undue financial or administrative burden.
- 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.

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- Section 15.2.5- Additional Standards:

References the Parkland and Recreation Facilities Impact Fee section of the CDC. Clarifies appropriate sign standards.

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).

ORDINANCE NO. 2018-31

AN ORDINANCE 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; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Largo has adopted the Comprehensive Development Code which encompasses all of the City's land development regulations; and

WHEREAS, the City of Largo desires to allow Residential Care Facilities, which include Assisted Living Facilities, Community Residential Homes and Halfway Houses/Rehabilitation Facilities, on properties with a Future Land Use Designation of Institutional; and

WHEREAS, the City of Largo determines that it is in the best interest of its residents, businesses and visitors to enact regulations within the CDC to address Residential Care Facilities; and

WHEREAS, the City Commission recognizes and supports the need of Residential Care Facilities in our communities; and

WHEREAS, the City Commission determines that it is in the best interest of its residents, businesses and visitors to provide regulations within the CDC to clearly address the supplemental standards for Residential Care Facilities; and

NOW, THEREFORE, THE CITY OF LARGO CITY COMMISSION HEREBY ORDAINS:

SECTION 1. That above recitals are true and correct and are hereby incorporated by reference as the findings of the City Commission.

SECTION 2. That Table 6-1 of the Comprehensive Development Code is amended to read as shown in Exhibit A.

SECTION 3. That Table 6-2 of the Comprehensive Development Code is amended to read as shown in Exhibit B.

SECTION 4. That Section 15.2 of the Comprehensive Development Code is hereby amended and shall read as follows:

Section 15.2 Residential Care Facilities—Assisted Living Facilities (ALFs) (Including Assisted Living Facilities, Community Residential Homes, Halfway Houses/ Rehabilitation Facilities and similar uses.)

15.2.1 Purpose – To set forth standards for the protection of the health, safety, and welfare of the residents of a facility and the community at large. Residential Care Facilities ALFs allow persons who are unable to live independently to remain in the community. Nothing contained herein is intended nor shall be construed to discriminate against any particular race, religious view, sex,

52 national origin, familial status, or any person with a disability as that term is defined in 42 U.S.C. §
53 12102, or to treat similarly situated property differently based on the abilities or disabilities of
54 potential occupants, nor shall it be construed as a policy against or refusal to make reasonable
55 accommodations in City rules, policies, practices, or services when such accommodations are
56 requested and when such accommodations would be necessary to afford a person with a
57 disability the equal opportunity to use and enjoy a dwelling. All requests for reasonable
58 accommodation to these standards shall be made in writing to the City Manager and the City
59 Manager may, after determining that the request qualifies for a reasonable accommodation, grant
60 such accommodations which would not fundamentally alter the nature of the City's zoning
61 regulations, and would not impose an undue financial or administrative burden. All requests for
62 reasonable accommodations will be determined on a case-by-case basis. While ALFs have some
63 similarities to general residential uses, these facilities may have a greater impact upon
64 surrounding uses than similarly sized residential uses.

65
66 **15.2.2 Applicability** - These standards are supplementary to the performance standards of this
67 CDC. Included among Residential Care Facilities ALFs are Assisted Living Facilities, Community
68 Residential Homes, Halfway Houses/Rehabilitation Facilities ~~recovery homes, residential~~
69 ~~treatment facilities, group care homes nursing homes,~~ and similar uses. These uses may be
70 predominantly residential in nature, providing care to a small number of persons in a single-family
71 home or institutional-type facilities. All facilities, regardless of the number of clients, are subject to
72 the City's Business Tax Receipt requirements, applicable State of Florida Regulatory agency
73 requirements, and all applicable construction standards included in Chapter 18 of this CDC. If the
74 development consists of bonafide dwelling units, rather than sleeping quarters only, and does not
75 provide the types of personal care normally associated with an Residential Care Facility ALF,
76 such as shared dining, transportation, recreational programs, on-site medical treatment, social
77 services, then it is not subject to these supplemental standards, but must comply with the
78 requirements for residential multifamily developments of this CDC.

79
80 **15.2.3 Restrictions**

81 **A.** Residential Care Facilities ALFs are not allowed in coastal high hazard areas, regardless of
82 the number of clients served.

83
84 **B.** Facilities located in or adjacent to ~~in~~ residential areas shall conform to the character of the
85 surrounding neighborhood. This applies to design, density, lot size, landscaping, or other factors
86 affecting the neighborhood character. This will prevent disruption of a neighborhood due to the
87 introduction of a dissimilar structure.

88
89 **C.** The following locational restrictions shall apply depending on the total number of clients served
90 by the facility. See Table 6-2: Allowable Uses Within Land Uses in the CRD.

91
92 **(1) Assisted Living Facilities:**

93 ~~a.(1)~~ Six (6) or fewer clients - Facilities of six (6) or fewer clients are allowable within all
94 residential, institutional, and mixed use land classifications.

95
96 ~~b.(2)~~ Seven (7) to ~~thirteen~~ fourteen (14) clients - Facilities of this size are allowable only
97 within RLM, RM, RH, institutional, and mixed use land classifications. ~~use designations.~~

98
99 ~~c.(3)~~ ~~Fourteen or more clients~~ More than fourteen (14) clients – Facilities with more than
100 fourteen (14) or more clients are allowed as a conditional use within RM, RH, CN, CG,
101 institutional and mixed use land classifications ~~use land use designations.~~

102
103 **(2) Community Residential Homes: (See definition for facilities included in this category)**

104 a. Six (6) or fewer clients - Facilities of six (6) or fewer clients are allowable within all
105 residential, Institutional, and mixed use land classifications.

106
107 b. Seven (7) to fourteen (14) clients - Facilities of this size are allowable only within RLM,
108 RM, RH, Institutional, and mixed use land classifications.

109
110 c. More than fourteen (14) clients – Facilities with more than fourteen (14) clients are
111 allowed as a conditional use within RM, RH, CN, CG, Institutional and mixed use land
112 classifications.

113
114 **(3) Half-way House/Rehabilitation Facility**

115 a. Six (6) or fewer clients - Facilities of six (6) or fewer clients are allowable within
116 Institutional land use classifications, and are allowed as a conditional use within CN, CG
117 and mixed use land classifications.

118
119 b. Seven or more clients - Facilities with more than seven (7) or more clients are allowed
120 as a conditional use within CN, CG, Institutional and mixed use land classifications.

121
122 ***15.2.4 Review Procedures***

123
124 **A.** Six (6) or fewer clients - Facilities licensed under Chapter 419, F.S., provides that a facility
125 housing six (6) or fewer clients is the functional equivalent of a single-family home and is,
126 therefore, allowable in a single or multifamily residential area and is not subject to either a Level I
127 or II administrative review. If the facility is not licensed under Chapter 419, F.S., and is
128 conditionally allowed, it shall be subject to review by the Planning Board (Level III).

129
130 **B.** Seven (7) to fourteen (14) thirteen (13) clients – Where allowable, these facilities shall be
131 administratively reviewed (Level I or II). If the facility is conditionally allowed, it shall be subject to
132 review by the Planning Board (Level III).

133
134 **C.** More than fourteen (14) clients Fourteen or more clients – Where allowable, facilities ALFs
135 housing more than fourteen (14) clients shall be subject to review by the Planning Board (Level
136 III).

137
138 ***15.2.5 Additional Standards***

139
140 **A. Density** – Densities shall be calculated using a residential equivalency standard of two and
141 one-half (2.5) beds equals one dwelling unit.

142
143 **B. Parkland and Recreation Facilities Impact Fee** – ~~ALFs that do not provide in-house care and~~
144 ~~services shall be required to pay parkland dedication and facility fees as a multifamily~~
145 ~~development. Facilities that provide in-house care and services shall be exempt from parkland~~
146 ~~and facility fees. The required impact fee for Residential Care Facilities shall be due as provided~~
147 ~~for in Chapter 8 Section 8.6.2.~~

148
149 **C. Signs** – ~~No~~All signs denoting the name and/or purpose of anof a Residential Care Facility with
150 six (6) or fewer clients-ALF shall conform to the same sign regulations and requirements for
151 residential uses within the land use category applied to the property. be allowed for facilities with
152 six (6) or fewer clients.

153
154 **D. Parking** – The DCO may authorize a reasonable reduction in the total number of required
155 parking spaces upon submittal of a parking demand analysis which is based upon the mobility of

156 the clients served and the medical accommodations provided. The following conditions must be
157 met:

158 (1) Sufficient data to demonstrate limited access and usage of vehicles by clients must be
159 submitted to the City and found to be valid by the City Engineer. The information
160 submitted shall include the following:

- 161 a. The marketing of the facility, i.e., type of clients expected to be housed;
- 162 b. The types of medical care services provided;
- 163 c. The expected mobility of residents;
- 164 d. Number of employees on the largest working shift; and
- 165 e. Expected visitation rate and visitor policies.

166
167 (2) Although the number of parking spaces may be initially reduced, a land area sufficient
168 to provide the total required number of parking spaces shall be reserved in case of the
169 future conversion or modification of the facility. In no case shall the reserved area be
170 used as the minimum required buffer, parkland, or retention area. Accommodations
171

172 (3) Retention area requirements shall be calculated based upon the assumption that the
173 required parking area is to be paved. An allowable alternative is to reserve an area to
174 accommodate retention, in the event of paving.
175

176 **E. Accessory use – Residential Care Facilities** ~~Assisted living facilities~~ having more than fourteen
177 ~~(14) clients~~ ~~fourteen (14) or more~~ clients may include on-site medical offices to serve the health
178 care needs of both on-site residents and off-site patients of the resident physician(s) subject to
179 review by the Planning Board as a conditional use. In addition, the following restrictions shall
180 apply:
181

182 (1) The on-site medical offices must be clearly incidental to the Residential Care Facility
183 ~~assisted living facility~~. The maximum floor area devoted to the on-site medical offices
184 shall be no more than ten (10) percent of the gross floor area of the Residential Care
185 Facility assisted living facility, or 3,500 square feet, whichever is less;
186

187 (2) Signage shall be limited to Address/Occupant Identification Displays ~~occupant~~
188 ~~identification signs~~, as required by Chapter 12, and shall be located on the wall only. No
189 freestanding signs identifying the occupants shall be allowed;

190
191 (3) The Residential Care Facility ~~assisted living facility~~ shall dedicate parking spaces to
192 the on-site medical offices based on the parking requirements for medical offices
193 provided in Section 9.5; and

194
195 (4) The addition of on-site medical offices to an existing Residential Care Facility ~~assisted~~
196 ~~living facility~~ having more than fourteen (14) ~~fourteen (14) or more~~ clients must receive
197 site plan approval as per Chapter 3.
198

199 **SECTION 5.** That Section 20.1.A(29) of the Comprehensive Development Code is hereby amended to
200 read as follows:

201 **20.1.A**
202
203

206 (29) **Assisted Living Facility (ALF):** An ~~licensed entity, licensed under chapter 58A-5, Florida~~
207 ~~Administrative Code,~~ which provides or arranges for housing, on-site monitoring, and personal
208 care services and/or home care services (either directly or indirectly), to one or more adults who
209 are not relatives of the owner or administrator in a home-like setting, for a period exceeding
210 twenty-four
211 (24) hours.
212

213 **SECTION 6.** That Section 20.1.C of the Comprehensive Development Code is hereby amended to read
214 as follows:
215

216 **20.1.C**
217

218 (1) **Caliper:** The standard nursery measurement for diameter in inches of a single – stemmed tree
219 trunk measured twelve (12) inches above grade for trees four (4) inches diameter at breast height
220 (DBH) or greater and six (6) inches above grade for trees less than four (4) inches in DBH.

221
222 (2) **Canopy:** In architecture – a roof-like structure, regardless of material, generally located above
223 a door, window, or extending across a building facade which is attached to and projects from a
224 building wall.
225

226 (3) **Canopy Tree:** A self – supporting, protected woody plant that normally grows to a minimum
227 height of thirty-five (35) feet and has a trunk that can be maintained with over eight (8) feet of
228 clear wood.
229

230 (4) **Capacity-To-Serve Determination:** An evaluation made by the City that sufficient capacity for
231 public facilities and/or services is available to serve a proposed development.
232

233 (5) **Change Out:** The replacement of an existing utility pole, communications tower, or other
234 telecommunications or utility facility with a new structure similar in type, but different in height,
235 bulk, or attachments.
236

237 (6) **City:** The City of Largo, Florida.
238

239 (7) **Class II Use:** See “Conditional Use.”
240

241 (8) **CLR-CRD:** The Clearwater-Largo Road Community Redevelopment District.
242

243 (9) **City Manager:** The City Manager for the City of Largo, or any such person designated to act in
244 his/her stead.
245

246 (10) **Coastal Construction Control Line:** The line established by the State of Florida pursuant to
247 Section 161.053, F.S., and recorded in the official records of the community, which defines that
248 portion of the beach-dune system subject to severe fluctuations based on a 100-year storm
249 surge, storm waves or other predictable weather conditions.
250

251 (11) **Coastal High Hazard Area:** A special flood hazard area extending from offshore to the inland
252 limit of a primary frontal dune along an open coast and any other area subject to high velocity
253 wave action from storms or seismic sources. Coastal high hazard areas are also referred to as
254 “high hazard areas subject to high velocity wave action” or “V Zones” and are designated on
255 Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.
256

257 **(12) Commercial Campground:** A place set aside and offered for temporary accommodations,
258 (i.e., no permanent installation of dwelling units on individual lots), for recreational purposes or
259 travel by a person or public body, for remuneration of the owner, lessor, or operator of such
260 place, including all appurtenances and associated facilities.

261
262 **(13) Communication Tower:** A monopole, self-supporting lattice, or guyed structure situated on a
263 site, the purpose of which is to serve as the support for one or more antennas or antenna arrays.
264 This term includes radio and television transmission towers, microwave towers, common carrier
265 towers, cellular telephone towers, and similar telecommunication structures excluding those used
266 exclusively for dispatch communications (see "antenna or antenna array" and "satellite service
267 reception antenna").

268
269 **(14) Community Residential Homes:** A dwelling unit licensed to serve residents who are clients of
270 the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of
271 Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health
272 Care Administration which provides a living environment for unrelated residents who operate as
273 the functional equivalent of a family, including such supervision and care by supportive staff as
274 may be necessary to meet the physical, emotional, and social needs of the residents. Some
275 facilities included in this category are group care homes, recovery homes, elderly housing and
276 similar uses.

277
278 **(15) (14) Comprehensive Plan:** The compilation of goals, objectives, policies, and maps for the
279 physical, social, and economic development within the City of Largo, adopted by ordinance
280 pursuant to Chapter 163, F.S., and containing all statutorily required elements.

281
282 **(16) (15) Concurrency:** The statutory requirement that public facilities and services to maintain
283 the adopted level of service standards for utilities, recreation and open space, and drainage are in
284 place at the time of development.

285
286 **(17) (16) Conditional Use:** A use that, because of special requirements or characteristics, may be
287 allowed in a particular land use designation or character district only upon completion of a
288 conditional use review and subject to the limitations and conditions specified therein. All proposed
289 development must meet the review criteria contained in this CDC. It shall be permitted only upon
290 the approval of the Planning Board after due notice and public hearing.

291
292 **(18) (17) Condominium:** A building or group of buildings in which units are owned individually,
293 and common areas and facilities are owned by all the unit owners on a proportional basis. A
294 condominium is a legal form of ownership and not a specific building style.

295
296 **(19) (18) Conforming:** A lawful, existing, properly permitted use which conforms to the provisions,
297 requirements and/or regulations of this CDC.

298
299 **(20) (19) Contractor Yard:** Storage yard operated by, or on behalf of, a contractor for storage of
300 large equipment, vehicles, or other materials commonly used in the individual contractor's
301 business type.

302
303 **(21) (20) County:** Pinellas County, Florida

304
305 **(22) (21) Countywide Future Land Use Plan (FLUP), also known as Countywide Land Use Plan:**
306 Future Land Use Plan adopted as part of the Pinellas County Comprehensive Plan pursuant to
307 Chapter 88-464, Florida Statutes. The accompanying "Rules Governing Administration of the
308 Countywide Future Land Use Plan, As Amended" are included by reference. The future land use

map that designates general categories of land use by type and location to guide the future development pattern and use of land throughout the county, as adopted by the Pinellas Planning Council and Countywide Planning Authority. The Countywide Plan Map may consist of a single map or map series as approved by the PPC and CPA and filed with the Clerk of the Board of County Commissioners.

~~(23)~~ **(22) Critical Root Zone:** The greater area between the ground area within a tree's dripline or an area equivalent to a radius from the tree trunk of nine (9) inches for each diameter inch of trunk measured at fifty four (54) inches above grade.

~~(24)~~ **(23) CRD:** Community Redevelopment District.

~~(25)~~ **(24) Crown:** All tree branch parts including all twigs and foliage.

~~(26)~~ **(25) Currently Available Revenue Sources:** An existing source and amount of revenue presently available to the local government. It does not include a local government's present intent to increase the future level or amount of revenue source which is contingent upon ratification by public referendum.

SECTION 7. That Section 20.1.E of the Comprehensive Development Code is hereby amended to read as follows:

20.1.E

(1) Easement: A right of use under, over or across the property of another.

(2) Effective Tree Removal: Any improper pruning or damage to a tree such as; flush cuts, mechanical damage to the trunk, damage to the roots by machinery, chemicals or excessive back fill (over three inches), over lifting, over thinning, lions tailing, topping, and the removal of a branch greater than twenty-five (25) percent of the trunk size at DBH.

(3) Elderly Housing: Any age restricted licensed facility, including detached and attached dwelling units and residences, offering private and semiprivate rooms. Provides personalized assistance and services to help with activities of daily living.

(4) (3) Elevated Building: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation, perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

(5) (4) Elevation Certificate: Administrative tool of the National Flood Insurance Program (NFIP) which is to be used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to determine the proper insurance premium rate, or support a request for a Letter of Map Amendment (LOMA).

(6) (5) Encroachment: For floodplain management purposes, the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

(7) (6) Environmental Audit: An engineering study of a site undertaken to determine whether hazardous materials have been produced, stored, dumped, or otherwise deposited on a site.

- 361 ~~(8)~~ ~~(7)~~ **Erect:** To construct, build, raise, assemble, place, affix, attach, or create.
- 362
- 363 ~~(9)~~ ~~(8)~~ **Existing building and existing structure:** Any buildings and structures for which the “start of
- 364 construction” commenced before May 28, 1971 [Also defined in FBC, B, Section 202.]
- 365
- 366 ~~(10)~~ ~~(9)~~ **Existing Manufactured Home Park or Subdivision:** A manufactured home park or
- 367 subdivision for which the construction of facilities for servicing the lots on which the manufactured
- 368 homes are to be affixed (including, at a minimum, the installation of utilities, the construction of
- 369 streets, and either final site grading or the pouring of concrete pads) is completed before May 28,
- 370 1971.
- 371
- 372 ~~(11)~~ ~~(10)~~ **Expansion to an existing manufactured home park or subdivision:** The preparation of
- 373 additional sites by the construction of facilities for servicing the lots on which the manufactured
- 374 homes are to be affixed (including the installation of utilities, the construction of streets, and either
- 375 final site grading or the pouring of concrete pads).
- 376
- 377 ~~(12)~~ ~~(11)~~ **Existing Use:** The use of a lot, parcel, or structure at the time of the enactment of this
- 378 CDC.
- 379
- 380

381 **SECTION 8.** That Section 20.1.G of the Comprehensive Development Code is hereby amended to read
 382 as follows:

383
 384 ***20.1.G***

- 386 **(1) Garage Enclosure:** The remodeling of an attached garage or carport within a residential
- 387 dwelling unit by a permanent enclosure which creates additional living area and/or storage area
- 388 which is built, designed, and permitted in conformance with the City of Largo's building and fire
- 389 codes.
- 390
- 391 **(2) GLA:** Gross Leasable Area.
- 392
- 393 **(3) Grade, Finished:** A reference plane representing the average of final ground level adjoining
- 394 the building at all exterior walls after all site preparations have been completed.
- 395 **(4) Greenhouse:** A structure used for cultivating plants that require controlled temperature and
- 396 humidity.
- 397
- 398 **(5) Gross Leasable Area (GLA):** The total floor area for which the tenant pays rent and which is
- 399 designed for occupancy and exclusive use by the tenant. GLA is expressed in square feet and
- 400 measured from the center line of joint partitions and from outside wall faces.
- 401
- 402 **(6) Groundcover:** Low-growing plants planted in such a manner as to form a continuous cover.
- 403
- 404 **(7) Group Care Home:** A licensed establishment which provides residential services to individuals
- 405 of whom one or more are unrelated. The individuals are handicapped, aged, or disabled, are
- 406 undergoing recovery, rehabilitation or extended care, and are provided services to meet their
- 407 needs.
- 408
- 409 ~~(8)~~ ~~(7)~~ **Grubbing:** The removal of rooted vegetation from the soil by hand labor or with machinery
- 410 or otherwise disturbing the soil in Which rooted vegetation is growing. Any excavation activity
- 411 shall be considered as grubbing.
- 412

413 **SECTION 9.** That Section 20.1.H(1) of the Comprehensive Development Code is hereby amended to
414 read as follows:

415
416 **20.1.H**

417
418 **(1) Halfway House/Rehabilitation Facility:** A licensed facility, which provides training, care,
419 supervision, treatment, or rehabilitation to the aged, disabled, those convicted of crimes, or those
420 suffering the effects of drugs or alcohol; this does not include day-care centers, family day-care
421 homes, foster homes, schools, hospitals, jails, or prisons.

422
423 **SECTION 10.** That Section 20.1.R of the Comprehensive Development Code is hereby amended to read
424 as follows:

425
426 **20.1.R**

427
428 **(1) Real Property:** See "Property."

429
430 **(2) Recovery Home: See Group Care Home.**

431
432 **(3) (2) Recreational Vehicle:**

433 a. A vehicular-type, portable conveyance without permanent foundation, which can be towed,
434 hauled, or driven, and is primarily designed as temporary living accommodation for recreation,
435 camping, and travel use and including, but not limited to, travel trailers, truck campers, camping
436 trailers, and self-propelled motor homes.

437 b. For FEMA purposes, a vehicle, including a park trailer, which is: (See Section 320.01, F.S.)

438 a. Built on a single chassis;

439 b. Four hundred (400) square feet or less when measured at the largest horizontal projection;

440 c. Designed to be self-propelled or permanently towable by a light-duty truck; and

441 d. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for
442 recreational, camping, travel, or seasonal use.

443
444 **(4) (3) Recycling Center:** A facility for the collection and temporary storage of recyclable
445 materials.

446
447 **(5) (4) Regional Brewery:** A duly-licensed brewery with a per calendar year beer production of
448 between 15,000 and 6,000,000 barrels. A regional brewery may include a tasting/tap room as an
449 accessory use. A brewery shall constitute a manufacturing use.

450
451 **(6) (5) Resources Recovery Facility:** A facility that incinerates processable waste, which is used
452 to produce steam, which in turn, is converted into electricity.

453
454 **(7) (6) Redevelopment:** See "Development."

455
456 **(8) (7) Regulatory Flood:** See "Base Flood."

457
458 **(9) (8) Regulatory Floodway:** The channel of a river or other watercourse and the adjacent land
459 areas that must be reserved to discharge the Base Flood without cumulatively increasing the
460 water surface elevation more than a designated height.

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462 **(10) (9) Rehabilitation:** The upgrading of a building previously in a dilapidated or substandard
463 condition.

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(11) (10) Religious Institution: A site, premise, or location which is used principally, primarily, or exclusively for purposes of the exercise of religion as protected by the First Amendment of the U.S. Constitution.

(12) (11) Remove or Removal (of Tree): The actual removal, transplanting or causing the effective removal through damaging, poisoning, excessive pruning, topping, or other direct or indirect actions resulting in the death or severe decline of a tree.

(13) (12) Rent: To lease, to sublease, to let, and otherwise grant for a consideration the right to occupy premises not owned by the occupant.

(14) (13) Replacement Cost Depreciated (RCO): The value of a structure as determined in accordance with FEMA's Floodplain Management Requirements.

(15) (14) Reservation:
a. A provision in a deed or other real estate conveyance which preserves a right for the existing owner even if other property rights are transferred.
b. A method of holding land for future public use by designating public areas on a plat, map, or site plan as a condition of approval.

(16) (15) Residential Equivalency Standard: One (1) or more multipliers used to calculate the residential density equivalents for certain institutional or quasi-residential uses.

(17) (16) Restrictive Covenant: A contract between two (2) or more parties usually specifying limitations or obligations relating to the use of a property.

(18) (17) Retention: The collection and storage of runoff without subsequent discharge to surface waters.

(19) (18) Right-of-Way: Land acquired and owned by a governmental agency or public utility and reserved for public use.

(20) (19) Rooming House: A building, other than a motel or hotel, where lodging or rooms, or both, are provided for compensation either directly or indirectly.

(21) (20) Root Pruning: The process of pre-digging a root ball of a tree to stimulate root regeneration and increase the density of root development within the final root ball.

SECTION 11. That all ordinances or parts thereof inconsistent herewith are hereby repealed and superseded.

SECTION 12. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 13. That this ordinance shall become effective immediately upon its final passage and adoption.

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APPROVED ON FIRST READING _____

PASSED AND ADOPTED ON
SECOND AND FINAL READING _____

CITY OF LARGO, FLORIDA

Louis L. Brown, Mayor

REVIEWED AND APPROVED:

ATTEST:

Alan Zimmet, City Attorney

Diane Bruner, City Clerk