

**LAND DEVELOPMENT REVIEW BOARD REGULAR PUBLIC HEARING
HELD ON FEBRUARY 20th, 2020 AT 2:00 P.M.
IN THE CITY HALL COUNCIL CHAMBERS
NEW PORT RICHEY, FLORIDA**

I. CALL TO ORDER

Chairperson John Grey called the February 20th, 2020 Land Development Board (LDRB) regular public hearing to order at 2:00 p.m.

II. PLEDGE OF ALLIGIANCE

Chairperson Grey led the LDRB in the pledge of allegiance.

III. ROLL CALL

Chairperson Grey requested staff to call the role and the following persons were in attendance:

Members in Attendance

Chairperson, John Grey
Vice Chairperson, Donald Cadle, Jr.
Louis Parillo
Nancy McDonald
Bob Smallwood

Others in Attendance

Earl R. Hahn, Dev. Dept. Dir.
Lisa Algieri, Senior Planner
Chris Bowman, City Planner

Members Absent

Dan Maysilles
Beverly Barnett

Mr. Bowman announced a quorum was present.

IV. SET OR AMEND THE AGENDA

Chairperson Grey requested a motion to set or amend the agenda. Director Hahn stated there is a member in the audience who has an interest in agenda item IX.B and requested that agenda item IX.A be moved to the end of the action item agenda. Ms. McDonald moved to

amend the agenda to move agenda item IX.A after agenda item IX.C, which was seconded by Mr. Parillo and approved unanimously 5-0.

V. FEBRUARY 3RD, 2020 MINUTES: REQUEST MOTION TO APPROVE

Chairperson Grey requested a motion to approve the February 3rd, 2020 special meeting minutes. Mr. Parillo moved to approve, which motion was seconded by Ms. McDonald and approved unanimously 5-0.

VI. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairperson Grey opened the floor to the public so that they could address the LDRB on any non-agenda items. There being no public comments, the Chairperson closed the public forum.

VII. PROOF OF PUBLICATION: REQUEST MOTION TO RECEIVE AND FILE

Chairperson Grey requested a motion to receive and file proof of publication into the public record. Ms. McDonald moved to receive and file proof of publication, which motion was seconded by Dr. Cadle, Jr., and which passed unanimously 5-0.

VIII. DEVELOPMENT DIRECTORS COMMENTS

Development Director Earl R. Hahn introduced himself and the other two (2) members of the Planning and Zoning Division. Mr. Hahn then provided the following comments:

- He has been actively recruiting persons to serve on the LDRB and believes that three (3) persons may submit an application to serve;
- The Department has hired Mrs. Brittney Love to work part-time as a Development Technician in the Building Division. Ms. Love formerly was the City Receptionist and has some familiarity with the Department's work process. Mrs. Peggy

Phipps has been hired to replace Mrs. Love as the City's Receptionist;

- Marvin Dryden, the City's Building Official, has submitted his resignation. A consulting firm will assist the City in reviewing plans and conducting inspections until such time as the position is filled;
- The City Manager has established the following six (6) priorities for the Department:
 - Accessory dwelling unit ordinance;
 - Form Based Code ordinance;
 - Lighting ordinance;
 - Off-street parking ordinance;
 - Sign ordinance; and
 - Site plan review ordinance.
- In addition to the LDRB, the Department also serves as staff to the Historic Preservation Board (HPB). The HPB meets at 4:00 p.m. on the first Monday of each month. The Department is proposing to amend the LDC to establish a new zoning district, called the Historic Landmark Overlay (HL-O) zoning district, and to make additional changes. These changes will require a recommendation from both advisory boards.
- The Department is in the midst of a technological revolution. The Building Official and Building Inspector each received upgraded computers, three Department staff have received upgraded and enlarged monitors, and computer enhancements are on the way. A new permit management system, EnerGov, is being initiated and staff is undergoing training. EnerGov is built on the Esri GIS platform to spatially link and share data with all interested parties from project concept to planning and approval. The citizen portal will allow the public access to information without the need for a phone call or site visit.

IX. ACTION ITEMS

- A. *An Ordinance of the City of New Port Richey, Florida amending the 2030 Comprehensive Plan, Future Land Use Element (FLUE); amending Table FLU 1.1.3., Future Land Use Categories and revising the Downtown, Downtown Core and Highway Commercial categories by modifying primary and secondary uses, increasing gross density through the conversion of floor area ratio and Transfer of Development Rights, creating an exception for public/semi-public uses, and making editorial corrections; providing for conflicts; providing for severability; and providing for an effective date.*

Director Hahn read the title of the Ordinance into the record and made a PowerPoint Presentation summarizing the proposed changes to the Downtown, Downtown Core, and Highway Commercial Future Land Use Map (FLUM) categories, these being:

- Downtown
 - Change transient accommodations to public accommodations because the LDC has now been amended to add a definition for transient residential accommodations and those use are prohibited
 - Allow parking lots and structure as a primary use
 - Allow conversion of floor area ratio to residential density
 - Provide an exception for Public/Semi-Public uses from the requirement that sites greater than 1.0 acre include a residential component
 - For residential development expand the type of ground floor uses from retail to any commercial use
- Downtown core
 - Change transient accommodations to public accommodations
 - Allow parking lots and structure as a primary use
 - Allow conversion of floor area ratio to residential density
- Highway commercial
 - Change the purpose to acknowledge the planned development district is an overlay zoning district

- Change transient accommodations to public accommodations
- Allow Public/Semi-public uses as a primary use instead of a secondary use
- Allow parking lots and structures as a primary use

Mr. Hahn then introduced as Attachment M a February 19th, 2020 letter from Pasco County Senior Planner Mary Helen Duke, which letter supported the proposed Comprehensive Plan amendment. The LDRB without objection entered the letter into the record. At the conclusion of the presentation, Mr. Hahn subsequently requested the LDRB move to recommend to the City Council the proposed Ordinance be adopted and stated he would entertain any questions.

The LDRB briefly discussed the amendment but did not have any questions. There being no inquiries from the LDRB, the Chairman opened the floor to the public. Frank Starkey of 5939 Grand Boulevard introduced himself and spoke in favor of the amendment. He noted that greater residential densities are needed to support the businesses downtown and allowing the conversion of commercial intensity to residential density was an appropriate accommodation. There being no further public comments, Chairman Grey closed the public hearing and requested the LDRB begin their deliberations. After some brief commentary in support of the ordinance, Ms. McDonald moved to approve the staff recommendation, which motion was seconded by Mr. Parillo and approved unanimously 5-0.

- B. *An Ordinance of the City of New Port Richey, Florida amending the Land Development Code (LDC) Chapter 7, Zoning; amending LDC § 7.09.01 on permitted uses to allow within the Highway Commercial zoning district a university or college; amending LDC § 7.11.01 on permitted uses to allow within the Downtown zoning district a single university or college; amending LDC § 2.01.00 to add a definition of university or college; providing for conflicts; providing for severability; and providing for an effective date.*

Director Hahn read the title of the Ordinance into the record and made a PowerPoint Presentation summarizing the proposed changes, which included allowing as a permitted use in the Highway Commercial zoning district a university or college and allowing as a permitted use in the Downtown zoning district a single university or college. Mr. Hahn noted the limitation to a single university or college in the Downtown zoning district was to ensure the continued integrity of downtown as a commercial and not public/semi-public area. At the conclusion of the presentation, Mr. Hahn subsequently requested the LDRB move to recommend to the City Council the proposed Ordinance be adopted and stated he would entertain any questions.

The LDRB questioned why the ordinance limited the Downtown zoning district to a single university or college. Director Hahn responded that the limitation was to maintain the commercial character of the Downtown zoning district. He noted that if in the future another university or college wanted to located in this zoning district and it was determined that a university or college was suitable, this restriction could be deleted. The LDRB also discussed whether the definition of university or college should be amended to require accreditation but the LDRB determined the language should remain as is. There being no further LDRB deliberations or questions, the Chairman opened the floor to the public.

There being no further comments from the public, the Chairman closed the floor and requested the LDRB begin their deliberations. Mr. Parillo moved to approve the staff report, which motions was seconded by Mr. Smallwood and which passed unanimously 5-0.

- C. *An Ordinance of the City of New Port Richey, Florida amending Land Development Code (LDC) Chapter 5, Rezoning, Variances, and Special Exceptions; amending the LDC Chapter 5 title to add LDC amendments; adding LDC § 5.01.10, Guidelines for Granting a rezoning; repealing LDC § 5.03.03B; adding LDC § 5.04.00, LDC amendments and adding five*

subsections; providing for conflicts; providing for severability; and providing for an effective date.

Director Hahn read the title of the Ordinance into the record and made a PowerPoint Presentation summarizing how the Development Department became aware of the fact the LDC did not have any guidelines for reviewing Zoning District Map (i.e., rezoning) and LDC text amendments. He stated that to address this omission, the proposed Ordinance was drafted. He noted the staff report includes a section-by-section description of the proposed changes to the Ordinance. Mr. Hahn noted that guidelines are necessary to ensure recommendations and final action are not made in an arbitrary and capricious manner. He also noticed that an informational item has been provided showing how the guidelines would be applied to an actual rezoning application. Finally, Mr. Hahn explained the format for the staff report assists the LDRB in making their own recommendations by offering them alternative recommendations.

At the conclusion of the presentation, Mr. Hahn subsequently requested the LDRB move to recommend to the City Council the proposed Ordinance be adopted and stated he would entertain any questions.

The LDRB briefly discussed the ordinance, sought some clarification on how the guidelines would be applied, and expressed support of having clear guidelines for making recommendations. There being no further LDRB inquiries or deliberation, the Chairman opened the floor to the public.

There being no further comments from the public, the Chairman closed the floor and requested the LDRB begin their deliberations. Dr. Cadle, Jr. moved to approve the staff recommendation, which motion was seconded by Mr. Smallwood, and which passed unanimously 5-0.

X. INFORMATIONAL ITEMS

Director Hahn stated the agenda did not include any information items.

XI. BOARD MEMBER COMMENTS

Dr. Cadle, Jr. stated he had a continuing concern which had not been adequately addressed by the Department. This concerned the character of the area on the other side of River Road. He noted that you have expensive houses next to duplexes that were in poor condition and questioned what could be done. Director Hahn noted the Burt J. Harris, Jr. Act limited what actions government could undertake, especially actions that devalued property. He stated he would talk with the City Manager about the possibility of hiring a consultant to see whether a rezoning or other action could be taken that would improve property values while at the same time encouraging redevelopment.

Several LDRB members complemented the Department's action to provide its members with staff reports providing a clear and more thorough analysis of the issues.

XII. ADJOURNMENT

Chairman Grey requested a motion to adjourn the LDRB special public hearing. Mr. Smallwood moved to adjourn the meeting, which motion was seconded by Mr. Parillo and the hearing was adjourned at 2:34 p.m.

Approved by: _____
John Grey, Chairperson

Date: March 19th, 2020