

**LAND DEVELOPMENT REVIEW BOARD REGULAR PUBLIC HEARING  
HELD ON JULY 16<sup>TH</sup>, 2020 AT 2:00 P.M.  
IN THE CITY HALL COUNCIL CHAMBERS  
NEW PORT RICHEY, FLORIDA**

**1. Call to Order – Roll Call**

Chairperson, John Grey called the July 16<sup>th</sup>, 2020 Land Development Review Board (LDRB) public meeting and hearing to order at 2:00 p.m.

Chairperson Grey requested a roll call of members present be conducted and Development Department Director Earl R. Hahn declared the following persons were in attendance:

**Members in Attendance**

Chairperson John Grey  
Vice Chairperson Dr. Donald Cadle, Jr.  
Member Beverly Barnett  
Member Nancy McDonald  
Member Bob Smallwood  
Alt. Member Frank Starkey

**Others in Attendance**

Debbie L. Manns, City Mgr.  
Timothy P. Driscoll, City Atty.  
Earl R. Hahn, Dev. Dept. Dir.  
Lisa Algiere, Senior Planner  
Chris Bowman, City Planner

**Members Absent**

Dan Maysilles  
Louis Parrillo

Mr. Hahn announced a quorum was present.

**2. Pledge of Allegiance**

Chairperson Grey led the LDRB in the pledge of allegiance.

**3. Approval of Minutes**

Chairperson Grey requested a motion to approve the June 18<sup>th</sup>, 2020 meeting minutes. Vice Chairperson Dr. Cadle, Jr. moved to approve the minutes, which motion was seconded by Mr. Smallwood and approved unanimously 6-0.

**4. Vox Box for Items Not Listed on the Agenda**

Chairman 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.

**5. Ordinance No. 2020-2200: Small-Scale Future Land Use Map (FLUM) Amendment**

Chairperson Grey stated he has a conflict-of-interest with respect to agenda item numbers 5 (Ordinance No. 2020-2200) and 6 (Ordinance No. 2020-2201), recused himself from voting, handed the gavel to Vice-Chairperson Dr. Cadle, Jr., and removed himself from the Council Chambers.

Member Smallwood inquired of the City Attorney whether he also had a conflict-of-interest with respect to agenda item numbers 4 and 5 because he is an independent contractor who leases space from a real estate firm that has an office in the one of the buildings/property subject to the FLUM amendment. The City Attorney confirmed a conflict-of-interest did not exist.

City Manager Manns presented a PowerPoint Presentation which summarized the justifications for the changes to the FLUM from Downtown to Highway Commercial for a 0.8139+ acre property located at the northeast corner of US Highway 19 and Main Street. She noted that although the agenda request also included the 0.66± acre property at the southeast corner of US Highway 19 and Main Street, due to a legal technicality, that property is being removed from the agenda.

She then noted that the amended agenda item was accompanied by a companion agenda item which would rezone the same property from Downtown to Highway Commercial District I. At the conclusion of the presentation, City Manager Manns requested the LDRB move to find the proposed Ordinance was in conformance with the City's Comprehensive Plan and state law and to recommend to the City Council the proposed Ordinance be adopted. She then stated she would entertain any questions.

Member Smallwood inquired how the Downtown category initially was found to be in conformance with the Comprehensive Plan. City Manager Manns responded that the Comprehensive Plan text was written after the FLUM was prepared and, as a result, the FLUM has misclassified some properties.

Member Starkey commented on the Development Department Report response to conformance with the state "urban sprawl" criteria. He found some of the responses were "flimsy". He also inquired whether space could be reserved on the southwest corner of the G&H Partnership property for a City entrance feature.

Development Department Director Hahn addressed conformance with the urban sprawl criteria noting that these criteria were not applicable when applied to the redevelopment of a site located in the city's central business district. His concern was that if the City responded not applicable, the state planning agency could interpret the response to mean that it does not discourage the proliferation of urban sprawl. In responding to the question about the entrance feature, City Manager Manns responded that these types of considerations are typically addressed during the site plan process and that it would be at the discretion of the owner to agree to dedicate a portion of the site for an entrance feature. She stated she would inquire from the Owner whether they would be interested in allowing such a feature on the property. There being no further inquiries from the LDRB, Vice Chairperson Dr. Cadel, Jr. opened the floor to the public.

Mr. Steve Booth introduced himself and stated he is the Owner's representative and he fully supports and endorses the staff report and City Manager presentation. He stated he agrees with the Department's conclusion that the urban sprawl criteria are inapplicable and endorses the way the Department responded to those criteria. He stated he has many years of experience dealing with these types of issues and that the Department's response to the urban sprawl criteria is appropriate. There being no further public input, Vice Chairperson Dr. Cadel, Jr. closed the floor to the public.

Vice Chairperson Dr. Cadel, Jr. requested the LDRB initiate their deliberations or offer a motion. Member Smallwood moved that the LDRB forward the record to the City Council with a

recommendation the Ordinance be adopted, which motion was seconded by Member McDonald and which passed unanimously 5-0.

**6. Ordinance No. 2020-2201: Zoning District Map Amendment**

City Manager Manns presented a PowerPoint which summarized the justifications for the changes to the Zoning District Map from Downtown to Highway Commercial for a 0.8139+ acre property located at the northeast corner of US Highway 19 and Main Street. She noted that this agenda item implements the LDRB's action taken on the FLUM amendment. At the conclusion of the presentation, City Manager Manns requested the LDRB move to find the proposed Ordinance was in conformance with the City's Comprehensive Plan and to recommend to the City Council the proposed Ordinance be adopted. She then stated she would entertain any questions.

Vice Chairperson Dr. Cadel, Jr. inquired whether the LDRB had any questions for City Manager Manns and there being none, Vice Chairperson Dr. Cadel, Jr. opened the floor to the public.

Mr. Steve Booth introduced himself and stated he is the Owner's representative and he fully supports and endorses the staff report and City Manager presentation. There being no further public input, Vice Chairperson Dr. Cadel, Jr. closed the floor to the public.

Vice Chairperson Dr. Cadel, Jr. requested the LDRB initiate their deliberations or offer a motion. Member Starkey moved that the LDRB forward the record to the City Council with a recommendation the Ordinance be adopted, which motion was seconded by Member Smallwood and which passed unanimously 5-0.

**7. Ordinance No. 2020-2189: Historic Preservation Amendments**

Chairperson Grey returned to the dais and Vice Chairman Dr. Cadle, Jr. passed the gavel back to Chairperson Grey, who requested staff make their presentation.

Development Department Director Earl R. Hahn introduced himself and made a PowerPoint Presentation summarizing the justifications for the Ordinance proposing changes to the Land Development Code's (LDC) historic preservation and zoning district regulations. He noted that the Historic Preservation Board considered the Ordinance at their July 13<sup>th</sup>, 2020 meeting and recommended approval subject to three changes, which he briefly described. At the conclusion of the presentation, Director Hahn requested the LDRB move to find the proposed Ordinance was in conformance with the City's Comprehensive Plan and LDC and to recommend to the City Council the proposed Ordinance be adopted. He then stated he would entertain any questions.

Questions arose about the membership requirements, specifically about the number of regular and alternate members, and the proposed overlay zoning district. City Manager Manns and City Attorney Driscoll responded to the questions. There being no further discussion, Chairperson Grey opened the floor to the public. There being no public input, Chairperson Grey closed the floor to the public.

Chairman Grey requested the LDRB initiate their deliberations or offer a motion. Member Smallwood moved that the LDRB forward the record to the City Council with a recommendation

the Ordinance be adopted, which motion was seconded by Member Starkey and which passed unanimously 6-0.

**8. Ordinance No. 2020-2202: Front Yard Fence Moratorium**

Development Department Director Earl R. Hahn introduced himself and made a PowerPoint Presentation summarizing the City Council's request and need for an Ordinance establishing a 180 day moratorium on front yard fences. At the conclusion of the presentation, Director Hahn requested the LDRB move to recommend the Council adopt the Ordinance.

Questions arose about what issues are to be addressed and City Manager Manns stated staff will consider, among other things, design and location issues. A question arose about how existing fences that do not meet guidelines will be addressed and Mrs. Manns responded that permitted fences would have grandfather status. Discussion also ensued about whether the 180 period was too long and City Attorney Driscoll explained the reasoning for supporting such a time frame.

There being no further questions or discussion, Chairperson Grey opened the floor to the public. There being no public input, Chairperson Grey closed the floor to the public.

Chairman Grey requested the LDRB initiate their deliberations or offer a motion. Vice Chairperson Dr. Cadle, Jr. moved that the LDRB forward the record to the City Council with a recommendation the Ordinance be adopted, which motion was seconded by member Starkey and which passed unanimously 6-0.

**9. Informational Matters – Ord. No. 2020-2198: Downtown Zoning District Outdoor Display**

Development Department Director Earl R. Hahn introduced himself and stated that at the last LDRB meeting it was requested staff prepare a separate ordinance regulation outdoor displays within the Downtown Zoning District. He stated he needed LDRB guidance as to those locations and outdoor displays that should be allowed within the district and that a memorandum identifying specific issues and photographs showing various types of outdoor displays. City Manager Manns stated this is a "brainstorming" session designed to seek input on LDRB preferences.

The LDRB concluded it is hard to regulate appearances and that a better approach might be to regulate by size, such as a percentage of the street frontage, the size of the outdoor display area, and a minimum and maximum size. After additional discussion, the LDRB suggested that staff provide them with ordinances on downtown outdoor displays from the City of Dunedin, Tarpon Springs, and Winter Park. Subsequently, Chairman Grey requested a motion to table this item to their next meeting. Member Starkey moved this item be tabled, which was motion was seconded by Member McDonald and which was approved unanimously 6-0.

**10. ADJOURN**

There being no further business, the meeting was adjourned at 3:21 p.m.

Approved by: \_\_\_\_\_ Date: August 20<sup>th</sup>, 2020  
John Grey, Chairperson