

ORDINANCE NO. 2023-25

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, AMENDING THE CITY OF LARGO COMPREHENSIVE DEVELOPMENT CODE BY AMENDING SECTION 8.6 TO REVISE PARKLAND AND RECREATION FACILITIES DEVELOPMENT REQUIREMENTS AND IMPACT FEES AND TO PROVIDE A WAIVER OF PARKLAND AND RECREATIONS FACILITIES IMPACT FEE FOR AFFORDABLE HOUSING PROJECTS; AMENDING SECTION 14.1.5 TO REVISE TYPES OF INCENTIVES AVAILABLE FOR AFFORDABLE HOUSING; AMENDING CHAPTER 20 TO REVISE AND ADOPT CERTAIN DEFINITIONS RELATED TO AFFORDABLE HOUSING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the CDC is intended to regulate development so as to protect the health, safety, and welfare of the citizens of Largo, and to implement the City's Comprehensive Plan; and

WHEREAS, the City Commission wishes to provide a waiver of Parkland and Recreation Facilities Impact Fees for affordable housing as is permissible under section 163.31801(11), Florida Statutes, to reduce costs for the construction of affordable housing developments serving households below 80% Area Median Income, adjusted for household size in accordance with recommendations from the 2022 Affordable Housing Advisory Committee Report, as well as to revise certain related criteria; and

WHEREAS, the total cost per dwelling unit for the Parkland and Recreation Facilities Impact Fee is not being modified by this ordinance; and

WHEREAS, providing a waiver of Parkland and Recreation Facilities Impact Fee for affordable housing projects will not affect the impact fees required for other developments within the City; and

WHEREAS, the City Commission finds that enactment of this ordinance is consistent with its police powers and will protect the public health, safety, and welfare of the residents of the City, and is consistent with, furthers and implements the purposes, goals, policies, and objectives of the City's enacted Comprehensive Plan.

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

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

SECTION 2. That section 8.6 of the Comprehensive Development Code is amended to read as follows:

Section 8.6 - Parkland and Recreation Facilities Impact Fees

8.6.1 - Purpose

The availability of parkland and recreational facilities are an important element in preserving the quality of life in a highly urbanized area. Parks and open space lands, together with recreation facilities, meet the active and passive recreational needs of the population of Largo.

8.6.2 - Authority

- A. This Section implements goals, objectives, and policies of the Comprehensive Plan to expand and enhance the City's parks, trails, open space and recreational and community facilities.
- B. A Parkland and Recreation Facilities Impact Fee was established by the methodology developed in the August 2016 Tindale Oliver City of Largo Parks and Recreational Facilities Impact Fee Update Study Phase II Analysis

Final Report and is hereby imposed on residential development in the City. The fee shall be established at the rates identified in Table 8-3.

Table 8-3: Parkland and Recreation Facilities Impact Fees for Residential Development	
Type of Unit	Total Cost Per Dwelling Unit
Single family (attached/detached)	\$4,089
Multi-family (apartment/condo)	\$2,726
Mobile home	\$2,726
"Congregate" multi-family unit	\$2,042

- C. Imposition of Parkland and Recreation Facilities Impact Fees, identified in Table 8-3, became effective January 1, 2017 (Ord. No. 2016-91). The City Commission may enact a discount to the calculated rates identified in Table 8-3 by separate ordinance.

8.6.3 - Applicability

- A. The following types of new development are assessed Parkland and Recreation Facilities Impact Fees: residential subdivisions, multi-family developments, mobile home developments, and congregate multi-family developments.
- B. For the purpose of this Section, congregate developments are those that provide some services (e.g., group transportation, dining halls, emergency monitoring systems, etc.) but consists of bona fide dwelling units rather than sleeping quarters. These types of congregate developments must comply with the requirements for multi-family development standards of this CDC and shall be required to pay Parkland and Recreation Facilities Impact Fees at the "Congregate" multi-family unit rate outlined in Table 8-3.

8.6.4 – Exemptions and Waivers

- A. Facilities subject to CDC Section 15.2.2 shall be exempt from Parkland and Recreation Facilities Impact Fees and include assisted living facilities (ALFs) that provide in-house care and services and typically have dormitory-style sleeping quarters and personal care at levels normally associated nursing homes.
- B. In order to support development in the community redevelopment districts (CRDs), the City waives Parkland and Recreation Facilities Impact Fees in the Clearwater-Largo Road and West Bay Drive CRDs as identified on Map 7-2.
- C. As outlined under CDC Section 14.1.5.B, the City waives Parkland and Recreation Facilities Impact Fees for Affordable Housing Developments (AHDs) constructed as owner-occupied or rental affordable housing.

8.6.5 – Administration

- A. Parkland and Recreation Facilities Impact Fees shall be held in trust by the City in a separate trust fund to be used for the acquisition, expansion, and construction of park and recreational land and facilities as identified in the Capital Improvements Program. Such land and facilities shall be available to serve the immediate or future needs of the residents of the new development, or for the improvement of other existing local park and recreational land which already partially serve such needs.
- B. Parkland and Recreation Facility Impact Fees may be paid in installments, on per building basis or per lot basis for subdivisions. The amounts of these partial payments shall be determined by the DCO and set forth in a detailed schedule to be included as a formal condition of approval and agreed to by the applicant before a DO will be issued and/or the final plat is recorded. The total amount due for Parkland and Recreation Facilities Impact Fees must be paid prior to the issuance of any building permit.
- C. The City Commission shall undertake a periodic review of Parkland and Recreation Facility Impact Fees to ensure that the adopted fee is commensurate with the level of growth and the accompanying land and facilities needs to support that growth.

8.6.6 – Procedures

A. The required Parkland and Recreation Facility Impact Fees shall be due as a condition of approval for any of the following:

- (1) Recording of a final subdivision plat;
- (2) Development Order (DO) for a residential subdivision, multi-family development, mobile home development, and congregate multi-family development as defined under Section 8.6.3;
- (3) A subdivision replat or the amendment of any site plan, where the density of the development involved will be increased; and

B. Credits for Parkland and Recreation Facilities Impact Fees:

- (1) Development projects are entitled to Parkland and Recreation Facilities Impact Fee credits for qualifying residential development that previously existed on the property.
- (2) A credit toward Parkland and Recreation Facilities Impact Fees may be provided toward new dwelling units based on the number and type of dwelling units on the development site from the most recent use of the property.
- (3) If the site has been cleared, applicants are required to provide evidence (e.g., demolition permits) of the site's previous number and type of dwelling units. The credit will be calculated based on the current Parkland and Recreation Facilities Impact Fees in effect at the time of issuance of the DO.

For example: if the subject parcel was previously developed four (4) single-family homes demolished in 2007, based on the single-family dwelling unit impact fee rate of \$4,089 per unit, the Parkland and Recreation Facility Impact Fee credits for pre-existing development would total \$16,356 (\$4,089 x 4 single-family homes = \$16,356).

SECTION 3. That section 14.1.5 of the Comprehensive Development Code is amended to read as follows:

14.1.5 Types of Incentives Available for AHDs

- A. *Funding Assistance* - Developers seeking funding assistance for an AHD must apply through the City's Affordable Housing Development Program. Eligibility criteria and funding terms are provided through the Affordable Housing Development Program. Based on funding availability, funding can be used to assist developments with acquisition, rehabilitation, site clearance, reconstruction/new construction, impact fees, (non-waived impact fees), and building permit fees. Applicable periods of affordability for any awarded funding will be guided by the policy documents for that funding source.
- B. *Density bonus* - Density bonuses to reduce per unit land costs are available to the site developer based upon the percentage of qualified Set-Aside units provided. See Table 14-2. In order to utilize an affordable housing density bonus, the developer must enter into an affordable housing density bonus agreement requiring the developer, its successors and assigns to maintain a certain ratio of AHD units, providing for fees for failure to maintain said ratio, providing for security for the payment of said fees, providing that the agreement shall be recorded and construed as a covenant running with the land binding all successor owners of the site, and providing for a period of affordability. The affordable housing density bonus agreement shall be subject to the review and approval of the City Commission and City Attorney.
- C. *Alternative development standards* - Projects receiving the AHD designation are eligible to use alternative development standards to reduce construction and site preparation costs. Alternative design standards will be incorporated into the site plans for the Development Order.
- D. *Expedited Review* - The processing of approvals of development orders or permits, as defined in Section 163.3164(15)-(16), Florida Statutes, for affordable housing projects shall be expedited to a greater degree than other projects.

E. *Affordable Housing Impact Fee Waiver Program* –Unless the Affordable Housing Impact Fee Waiver Program time period is changed by resolution, a waiver of the Parkland and Recreation Facilities Impact Fee shall be waived for a period of five (5) years from adoption of Ordinance 2023-25. Developers/property owners can apply to the City’s Affordable Housing Impact Fee Waiver Program for the Parkland and Recreation Facilities Impact Fee waiver for dwelling units that will be sold or rented to households earning no more than 80% of Area Median Income (AMI), adjusted for household size, and for which sales prices or rental rates are at or below the following limits:

- (1) *Owner-Occupied Units*: Dwelling units sold for home ownership must be sold at no greater than the Homeownership Sales Price Limits for the Home Investment Partnership (HOME) Program established by the US Department of Housing and Urban Development (HUD) at the time of re-sale to an income-eligible household.
- (2) *Rental Units*: Dwelling units must be rented by an income-eligible household for no more than the Maximum Rent Limits, adjusted for number of bedrooms, for the SHIP Program in effect for households at the 80% AMI level at the time of rental. In accordance with the SHIP Program requirements, the portion of rent paid by the tenant household must not exceed the SHIP rent. If a rent subsidy from another source provides gap funding between the lease and the amount paid by the tenant, such documentation shall be kept on record by the property owner.
- (3) *Affordability Period for Impact Fee Waiver Program*: The length of time these affordability requirements will be in effect to fulfill waiver requirements is ten (10) years from initial occupancy (initial sale to homeowner or final Certificate of Occupancy date for rental units). An Affordable Housing Impact Fee Agreement shall be recorded on the property.

SECTION 4. That section 20.1.A(13)- (33) of the Comprehensive Development Code is amended to read as follows:

- (13) *Affordability Period (Period of Affordability)*: The number of years the development or property must maintain all affordability requirements of the incentives provided.
- (14) *Affordable Housing*: Quality designed housing which monthly rents or monthly mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071(20), (21), and (30), Florida Statutes. However, it is not the intent to limit an individual household’s ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent benchmark. This term also includes housing provided by a not-for-profit corporation that derives at least 75 percent of its annual revenues from contracts or services provided to a state or federal agency for low-income persons and low-income households; that provides supportive housing for persons who suffer from mental health issues, substance abuse, or domestic violence; and that provides on-premises social and community support services relating to job training, life skills training, alcohol and substance abuse disorders, child care, and client case management.
- ~~(15)~~ *Affordable Housing Development (AHD)*: A residential development that receives incentives through the City in exchange for the provision of affordable housing that is receiving incentives from one or more of the following affordable housing codes or programs:
 - a. Chapter 14 - Affordable Housing of this CDC;
 - b. Section 7.2 - Major Activity Centers of this CDC;
 - c. The West Bay Drive or Clearwater-Largo Road Community Redevelopment District Plans;

- d. The City's Home Improvement or Home Replacement Programs; or
 - e. A program for which the developer has provided documentation that the development will be required to have affordable set-aside units through another non-City funding source, such as Low-Income Housing Tax Credits, the Pinellas County Housing Finance Authority Multi-Family Bond Program, or the Penny IV Pinellas Affordable Housing Program.
- (16) *Alley*: A narrow street, passageway, or service way, which is usually a public right-of-way, located along the rear of abutting properties, and is not intended for general traffic circulation.
- (17) *Alter or Alteration*: To change, rearrange, enlarge, extend, or reduce any structure or part thereof on the same site.
- (18) *Alteration of a watercourse*: A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.
- (19) *American National Standards Institute (ANSI) A300 Standards*: Generally accepted industry standards for tree care practices.
- (20) *American Society of Consulting Arborists (ASCA)*: A professional organization that maintains a referral list of arborists who have passed the qualifications needed to attain Registered ASCA Consulting Arborist status.
- (21) *Ancillary Use*: A use which is established to support a primary use. Ancillary uses may include, but not be limited to the following: off-street parking, off-site drainage and retention areas, and open space buffer areas associated with allowable nonresidential uses.
- (22) *Antenna or Antenna Array*: Any system of wires, poles, rods, reflecting discs, panels, or similar devices used for the transmission or reception of electromagnetic waves (see "satellite service reception antenna" and "communications tower").
- (23) *Appeal*: A request for a review by a higher authority of an action on an application, or an interpretation of the CDC.
- (24) *Approved Arborist*: An arborist who is currently recognized by the International Society of Arboriculture (ISA) as a Certified Arborist or by the American Society of Consulting Arborists (ASCA) as a Registered Consulting Arborist.
- (25) *Approved Species List*: A list of landscape species that can be used to meet planting requirements provided the site specific conditions match the requirements of the plant.
- (26) *Arboriculture*: The practice and study of the care of trees.
- (27) *Arborist*: An individual trained in arboriculture, forestry, landscape architecture, horticulture, or related fields and experienced in the conservation and preservation of native and ornamental trees.
- (28) *Arcade*:
 - a. In architecture, an arcade is a series of arches carried by columns or piers, a passageway between arches and a solid wall, or a covered walkway that provides access to adjacent shops.
 - b. In land use, an arcade is a place or facility where pinball or other similar electronic games are played for amusement only. Arcades may not include any gambling devices prohibited by law.
- (29) *Area*: The dimension of a site as measured by multiplying the length times the width of the land to be developed and platted into one (1) lot of record.
- (30) *Area Median Income (AMI)*: The median gross annual income, adjusted for household size, for Pinellas County (Tampa-St. Petersburg Metropolitan Statistical Area).

- (31) *Assisted Living Facility (ALF)*: An entity, licensed under chapter 58A-5, Florida Administrative Code, which provides or arranges for housing, on-site monitoring, and personal care services and/or home care services (either directly or indirectly), to one or more adults who are not relatives of the owner or administrator in a home-like setting, for a period exceeding twenty-four (24) hours.
- (32) *ASCE 24*: A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.
- (33) *Awning*: See "canopy."

SECTION 5. That section 20.1.D(7) – (30) of the Comprehensive Development Code is amended to read as follows:

- (7) *Density Bonus Agreement*: An agreement binding the parties to provide additional housing density in exchange for certain provisions or restrictions on certain units and/or the development during the term of the agreement.
- (8) *DEO*: State Department of Economic Opportunity
- (9) *DEP*: State Department of Environmental Protection.
- (10) *Design flood*: The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 202.]
 - a. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
 - b. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.
- (11) *Design flood elevation*: The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet. [Also defined in FBC, B, Section 202.]
- (12) *Detention*: The collection and storage of surface water for subsequent gradual discharge.
- (13) *Developer*: Any person, firm, partnership, association, corporation, company, or organization of any kind engaged in any type of man-made change or improvement to the land.
- (14) *Development*: Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations, or any other land disturbing. The term "development" may include activities described as "redevelopment."
- (15) *Development Controls Officer (DCO)*: The Director of the Largo Community Development Department or his/her designee.
- (16) *Development Order (DO)*: An order issued by the Development Controls Officer upon approval of an official board, commission, or administrative officer authorizing a specific use and development and further authorizing the subsequent issuance of necessary permits.
- (17) *Development Permit (DP)*: Formal permission to erect, construct, alter, raze, move, remove, or otherwise develop land within the City of Largo, which must be obtained before initiating a use or development activity.
- (18) *Development Right*: A legal claim (authority) to convert a tract of land to a specific purpose by construction, installation, or alteration of a building, structure, or other improvements.

- (19) *Diameter at Breast Height (DBH)*: Total tree trunk cross-section diameter, measured in inches and measured four and one-half feet above original grade. The DBH of a multi-stemmed understory tree species shall equal the sum total of the diameter of all stems measured at four and one-half (4.5) feet above grade.
- (20) *Disability, Person with a*: Persons who have a physical or mental impairment which substantially limits one or more of such persons' major life activities; have a record of such impairment; or are regarded as having such an impairment.
- (21) *DO*: Development Order.
- (22) *DP*: Development Permit.
- (23) *Donation Bin*: All unattended receptacle designed with a door, slot, or other opening that is intended to accept and store donated items from the public for a limited duration. This does not include receptacles where personnel are present to accept donations and that otherwise are not open and available for donations.
- (24) *Dormitory*: A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, orphanage, convent, monastery, or other similar institutional use.
- (25) *Drainage Feature*: existing natural and man-made drainage ways and water bodies, and proposed drainage ways and water bodies, that are part of the Pinellas County Master Drainage Plan, as subsequently refined through the individual Watershed Management Plans, that are shown in the Stormwater Management Element of the respective local government Comprehensive Plans, or that are part of an approved site plan or other authorized development order action of the local government with jurisdiction.
- (26) *Drainage Way*: Any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.
- (27) *DRC*: Development Review Committee.
- (28) *Dripline*: An imaginary perpendicular line that extends downward from the outermost tips of the tree branches to the ground.
- (29) *Dwelling Unit*: A single housing unit providing complete, independent, living facilities for one housekeeping unit, including permanent provisions for living, sleeping, eating, cooking, and sanitation. This does not include hotels, motels, motor lodges, dormitories or other accommodations for the transient public.
- (30) *Dwelling Types*:
- a. *Duplex*: A building, designed as a single structure, containing two (2) separate dwelling units on one (1) lot, which is intended to be occupied by two (2) families living independently of one another.
 - b. *Manufactured Home*: One of several types of homes constructed entirely or partially in an off-site factory, transported over roadways, and then placed or assembled on a site-built foundation. After the home is in position, utilities (e.g., water, sewer, electric) are connected, ancillary components (e.g., siding, skirting) are installed, and the home is ready for habitation. Factory built homes include manufactured homes, modular homes, panelized homes, and pre-cut homes. Modular, panelized, and pre-cut homes must comply with the same state and local building codes, including all relevant regulations contained within this CDC, as site-built homes. Mobile homes must meet HUD regulations. The term "manufactured home" does not include "recreational vehicle."
 - c. *Mobile Home*: A manufactured home that is built to the U.S. Department of Housing and Urban Development (HUD) standards. Mobile homes are transportable structures, built on a permanent

chassis. A mobile home is usually installed on temporary foundations (concrete pads, dry-stacked blocks and tie-downs) but may also be designed with a permanent foundation when attached to the required utilities. The mobile home industry is regulated in Florida by the Department of Highway Safety and Motor Vehicles (DHSMV). Upon installation, a mobile home's wheels and axles may be removed, but the integral chassis must stay in place. To be acceptable in Florida, a mobile home must bear the HUD label and be installed by a mobile home installer licensed by DHSMV.

- d. *Modular Home*: A manufactured home that is designed, built, permitted and inspected to the Florida Building Code (FBC). A modular home must be installed on permanent foundation that is designed and built specifically for that home by a contractor licensed by the Department of Business & Professional Regulation (DBPR). To be acceptable in Florida, a modular home must bear the insignia of the Florida Department of Economic Opportunity (DEO) on the inside of the cover of the home's electrical panel. Modular homes must comply with the same State and local building codes, including all relevant regulations contained within this CDC, as site-built homes.
- e. *Multifamily*: A development with four (4) or more dwelling units contained within the same structure or grouping of four (4) or more dwelling units on one (1) lot. Multifamily structures of fewer than three (3) stories (such as garden apartments) are generally considered to be low-rise, mid-rise when containing between three (3) and eight (8) stories, and high-rise when containing nine (9) or more stories.
- f. *Single-Family Attached*: A structure containing one (1) dwelling unit on one (1) lot, but attached to another dwelling unit by means of a common wall.
- g. *Single-Family Detached*: A structure containing one (1) dwelling unit on one (1) lot, and not attached to any other dwelling unit by any means.
- h. *Townhouse*: a single family dwelling unit on one (1) lot, which has primary ground floor access to the outside and which are attached to another dwelling unit by means of a common wall. Each unit extends from the foundation to roof and has open spaces on at least two (2) sides.
- i. *Triplex*: A structure containing three (3) dwelling units on one (1) lot.

SECTION 6. That section 20.1.L(14) – (16) of the Comprehensive Development Code is amended to read as follows:

- (14) *Low Impact Development (LID)*: Stormwater treatment methods that mimic the predevelopment site hydrology using site design techniques to store, infiltrate, evaporate, and detain runoff.
- (15) *Low-Income Household*: One or more natural persons or a family that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever amount is greatest. With respect to rental units, the low-income household's annual income at the time of initial occupancy may not exceed 80 percent of the area's median income adjusted for family size. While occupying the rental unit, a low-income household's annual income may increase to an amount not to exceed 140 percent of 80 percent of the area's median income adjusted for family size.
- (16) *Lowest Floor*: The lowest floor of the lowest enclosed area of a building or structure, including a basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevated requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 202.].

SECTION 7. That section 20.1.M(7) – (20) of the Comprehensive Development Code is amended to read as follows:

- (7) *Maximum Income Limit:* The maximum gross annual household income adjusted for household size for the maximum income level to be served by the AHD (e.g., 50% or 80% of area median income). Unless otherwise required for specific funding sources provided through the City for the AHD, the median annual income for set-aside units shall be based on the annually released Maximum Income Limits established by the Florida Housing Finance Corporation for the State Housing Initiatives Partnership (SHIP) Program, adjusted for household size for Pinellas County (Tampa-St. Petersburg Metropolitan Statistical Area).
- (8) *Maximum Rent Rates:* Unless otherwise required for specific funding sources provided through the City for the AHD, the Maximum rent rates for set-aside rental units shall be based on annually released Maximum Rental Limits established by the Florida Housing Finance Corporation for the State Housing Initiatives Partnership (SHIP) Program, adjusted for the number of bedrooms in the units, for Pinellas County (Tampa-St. Petersburg Metropolitan Statistical Area).
- (9) *Maximum Purchase Price (Sales Limit):* Unless otherwise required for specific funding sources provided through the City for the AHD, the Maximum Purchase Price for set-aside owner-occupied units shall be based on annually released Maximum Purchase Price limit established by the Florida Housing Finance Corporation for the State Housing Initiatives Partnership (SHIP) Program.
- (10) *Medical Clinic:* An outpatient establishment where patients, who are not lodged overnight, are admitted for medical or dental treatment and examination by physicians, dentists, and similar personnel, the practice of which is lawful in the state of Florida.
- (11) *Medical Marijuana Treatment Center Dispensing Facility:* A facility where low-THC cannabis and/or medical marijuana, as well as physician ordered marijuana delivery devices, are dispensed at retail by an approved Medical Marijuana Treatment Center pursuant to Article X, Section 29 (b)(5) of the Florida Constitution.
- (12) *Metes and Bounds:* A method of describing the boundaries of land by compass bearings and distance from a known point of reference.
- (13) *Microbrewery:* An establishment where beer and malt beverages are duly-licensed to be made on premises and then sold or distributed, and which produces less than 15,000 barrels (465,000 gallons) of beer and or cider per calendar year in conjunction with a restaurant, tasting/tap room or retail sales.
- (14) *Micro-Distillery:* An establishment primarily engaged in on-site distillation of spirits in quantities not to exceed 75,000 gallons per calendar year. The distillery operation processes the ingredients to make spirits by mashing, cooking, and fermenting. The micro-distillery operation does not include the production of any other alcoholic beverage. A micro-distillery may include a tasting/tap room as an accessory use.
- (15) *Mixed Use Corridor:* Roadways within Largo that are bordered by land use categories that allow a wide range of transit-supportive use and include regulations that support a compact built form with variations in density and design criteria.
- (16) *Mobile Food Dispensing Vehicle:* A readily movable, motorized wheeled vehicle or a towed wheeled vehicle, with no permanent, fixed location, which is designed and equipped to prepare and serve food, and contains food preparation equipment and is closed up when not in operation. Mobile Food Dispensing Vehicle does not include hot dog carts, pushcart vending, ice cream trucks or produce trucks.
- (17) *Mobile Food Dispensing Vehicle Vending Site:* A parcel of developed land with a defined area approved for daily vending with limited operations by Mobile Food Dispensing Vehicles, as approved by the Development Controls Officer.
- (18) *Moderate-Income Household:* One or more natural persons or a family that has a total annual gross household income that does not exceed 120 percent of the median annual income adjusted for family

size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest. With respect to rental units, the moderate-income household's annual income at the time of initial occupancy may not exceed 120 percent of the area's median income adjusted for family size. While occupying the rental unit, a moderate-income household's annual income may increase to an amount not to exceed 140 percent of 120 percent of the area's median income adjusted for family size.

- (19) *Motel*: A public temporary lodging building, or group of buildings on the same premises and under single control, which offers rental units with an exit to the outside of each rental unit, daily or weekly rates, off-street parking for each unit, and a central office on the property with specified hours of operation.
- (20) *Multimodal Activity Center (MAC)*: A designated area that incorporates or is anchored by a Major Activity Center or Transit Station Area and is of sufficient scale to support mass transit or internal capture of trips within its boundaries.

SECTION 8. That section 20.1.Q(2) of the Comprehensive Development Code is amended to read as follows:

- (2) *Qualified Unit*: Set-aside units occupied by an income-eligible household. For such units, the rent or sales price of owner-occupied homes cannot exceed the maximum amounts established in the applicable section of the Comprehensive Development Code for the development incentive received.

SECTION 9. That section 20.1.S(5) of the Comprehensive Development Code is amended to read as follows:

- (5) *Set-Aside Requirement (set-aside units)*: The minimum number or percent of units in a residential development that must be set-aside as qualified units in return for incentives provided by the City.

SECTION 10. That section 20.1.V(4) – (6) of the Comprehensive Development Code is amended to read as follows:

- (4) *Very-Low Income Household*: One or more natural persons or a family that has a total annual gross household income that does not exceed 50 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest. With respect to rental units, the very-low-income household's annual income at the time of initial occupancy may not exceed 50 percent of the area's median income adjusted for family size. While occupying the rental unit, a very low-income household's annual income may increase to an amount not to exceed 140 percent of 50 percent of the area's median income adjusted for family size.
- (5) *Vested Rights*: The right to undertake and complete the development and use of a property under the terms and conditions of an approved site-specific development plan or an approved phased development plan for a specified time, regardless of changes in the CDC.
- (6) *Visibility Triangle*: An area beyond the curb radius, so specified by this CDC, which shall be kept clear of all objects to provide visual clearance.

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 ("Woody") L. Brown, Mayor

REVIEWED AND APPROVED:

ATTEST:

Alan S. Zimmet, City Attorney

Diane Bruner, City Clerk