

**DEPARTMENT OF GROWTH MANAGEMENT  
LAND DEVELOPMENT DIVISION  
STAFF FINDINGS REPORT  
TO THE  
PLANNING AND DEVELOPMENT COMMISSION**

**CONDITIONAL USE APPLICATION NO. – CU-21-01 – Jim Penna for James Housh**

**DATE:** February 12, 2021

**PREPARED BY:** Amy L. Bidwell, Senior Planner; Land Development Division *AB*

<b>CONDITIONAL USE REQUESTED</b>	This request is for a Conditional Use to allow for a halfway house and other associated uses, pursuant to Section 2402, <u>Rural Residential-Mobile Home District (RUR-MH)</u> , as specified in the LDC.
<b>SUBJECT PROPERTY</b>	<u>Section 11, Township 18 South, Range 17 East</u> ; more specifically, Parcel 44100, unrecorded tract, Alternate Key 1054087, described in OR BK 221 PG 542 & OR BK 2063 PG 27, which address is 4881 N. Arid Pt, Crystal River. A complete legal description of the property is on file with the Land Development Division.
<b>ACREAGE</b>	Approximately 19.68 acres
<b>LAND USE</b>	RUR-MH, Rural Residential District-Mobile Homes allowed
<b>FLOOD ZONE</b>	According to the Flood Insurance Rate Map (FIRM), the subject property appears to be located in Flood Zone(s) "AE" and "X" as found on Community-Panel Number 12017C0187D.
<b>SURROUNDING LDC ATLAS DESIGNATIONS</b>	North – RUR-MH, Rural Residential District – Mobile Homes South – RUR-MH, Rural Residential District – Mobile Homes East – RUR-MH, Rural Residential District – Mobile Homes West – RUR-MH, Rural Residential District – Mobile Homes
<b>SURROUNDING GFLUM DESIGNATIONS</b>	North – RUR, Rural Residential District South – N. Arid Pt., RUR, Rural Residential District East – RUR, Rural Residential District West – RUR, Rural Residential District
<b>SURROUNDING EXISTING LAND USE</b>	North – Vacant Residential South – N. Arid Pt., Single Family Residences East – Vacant Residential West – Single Family Residence, Mobile Home Park
<b>CHARACTERISTICS OF THE SURROUNDING AREA</b>	The surrounding area is residential in nature.

## **BACKGROUND AND ANALYSIS**

The subject property under application is an unrecorded tract and not part of a larger subdivision. The parcel takes access from N. Arid Pt., a private unpaved right of way, and is approximately 19.68 acres. There appears to be no other right of way or drive access point to this property. The parcel is vacant and heavily wooded.

The applicant is requesting to allow for a halfway house use in the RUR district. Halfway houses are allowed in the RUR district with a Conditional Use. The proposed halfway house use will be for the rehabilitation of men with alcohol and drug addiction. The proposed site plan indicates that there will be two (2) 30'x12' mobile homes that will be used for the residency of the program participants. Each unit will house up to four (4) residents at a given time for a total of eight (8) residents. There is also a proposed 30'x30' meeting room and a future 40'x40' bunk house.

While the applicant is proposing a halfway house use, the land use is Rural Residential-Mobile Homes allowed. As proposed, the project exceeds the definition of community residential home, small, which is defined as 6 or less residents. The applicant will be required to meet the design standards for community residential home, large under section 3170, Nursing Homes and Assisted Care Facilities of the Land Development Code. These design standards include, but are not limited to, separation from specific uses, requirements for living area square feet, and residential dwelling density. As this application is proposed, it will result in an increase in residential density.

The institutional use of this property as a halfway house for the treatment of men with drug and alcohol abuse who, according to the program brochure submitted by the applicant, voluntarily join the program or may be a court appointed resident is not compatible with the residential use and activities of the surrounding areas that are developed with single-family residences.

### **Consistency with the Comprehensive Plan**

All development applications shall demonstrate complete compliance with the Comprehensive Plan. This Conditional Use application is consistent with the Comprehensive Plan goals, objectives, policies, and standards including:

**Policy 17.3.1** The County LDC shall contain residential densities and standards for development consistent with the constraints outlined in this element. These densities shall be calculated as follows:

Rural Residential Up to a maximum of one unit per 10 acres; Up to a maximum of one unit per five acres with 50% open space.

*Staff Comment: The proposed site plan shows two (2) residential units to be placed on approximately one acre of the 19.68-acre parcel. In addition, the number of residents is four (4) per dwelling, eight (8) residents total. The applicant will need to comply with residential dwelling standards of Section 3170, Nursing Homes and Assisted Care Facilities.*

**Policy 17.2.8** The County shall utilize land use techniques and development standards to achieve a functional and compatible land use framework which reduces incompatible land uses.

*Staff Comment: The subject property has the RUR-MH designation. Halfway Houses can be allowed in the RUR land use district with a Conditional Use. The proposed development will be required to meet all applicable LDC design requirements.*

**Policy 17.15** The County shall encourage the reduction of uses incompatible and/or inconsistent with individual community's character and designated future land uses by requiring performance standards are met in the County LDC which will reduce negative impacts.

*Staff Comment: The property is surrounded by RUR-MH land uses; the majority are developed with Single Family residences and some are vacant. There is also a parcel with an Agricultural Land Use designation. The proposed use of the subject parcel is residentially designed and institutional in nature and is to be used as a halfway house.*

### **Consistency with the Land Development Code (LDC)**

Staff reviewed this application under the standards of Section 2402, Rural Residential District District, as specified in the LDC, as well as Section 3170, Nursing Homes and Assisted Care Facilities, as specified in the LDC. This application is generally consistent with the provisions of the LDC. The proposed use is adequately buffered from adjacent residential uses and is compatible with the standards as specified in the LDC. The proposed use is incompatible with the general areas residential use and activities.

**2402. RURAL RESIDENTIAL DISTRICT (RUR)** This category represents primarily those areas that are transitional between higher density developments and agricultural or conservation uses. This district is intended to preserve economically viable agricultural land and large tracts of residential land in order to maintain a rural atmosphere in appropriate areas of the County.

This category allows for residential use at a maximum density of 1.0 unit per 10 acres. Single family residential may be permitted at a density not to exceed one unit per five (5) acres when having at least fifty percent (50%) open space, provided additional standards are met, including a PUD as outlined in Chapter Four.

*Staff Comment: The proposed site plan shows two (2) residential units, a 30'x30' meeting room and a future 40'x40' bunk house to be placed on approximately one acre of the 19.68-acre parcel.*

**1500. Community Residential Home, Small:** A dwelling unit which has all of the required licenses or permits from the state agencies for its functions and which provides a living environment for six (6) or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

**Staff Comment:** *The applicant proposes to have more than six (6) residents (Community Residential Home, Large) and will need to comply with the standards of Section 3170 Nursing Homes and Assisted Care Facilities, of the Land Development Code.*

**Engineering Division Comments:** The Engineering Division has no comments.

**Building Division Comments:** The Building Division has provided the following comments:

1. Fire department access roads shall need 20' in width minimum.
2. All points of the buildings to be within 150' of the fire department access roads and at least 1 entry door within 50'.
3. Any fire department access road longer than 150' requires a turn around.
4. Fire department roads shall be designed and maintained to support the imposed loads of the fire apparatus and shall have an all-weather surface.
5. The proposed use of this site will require a fire sprinkler system, which will require an approved water supply. The water supply will need to be county source or a water tank.

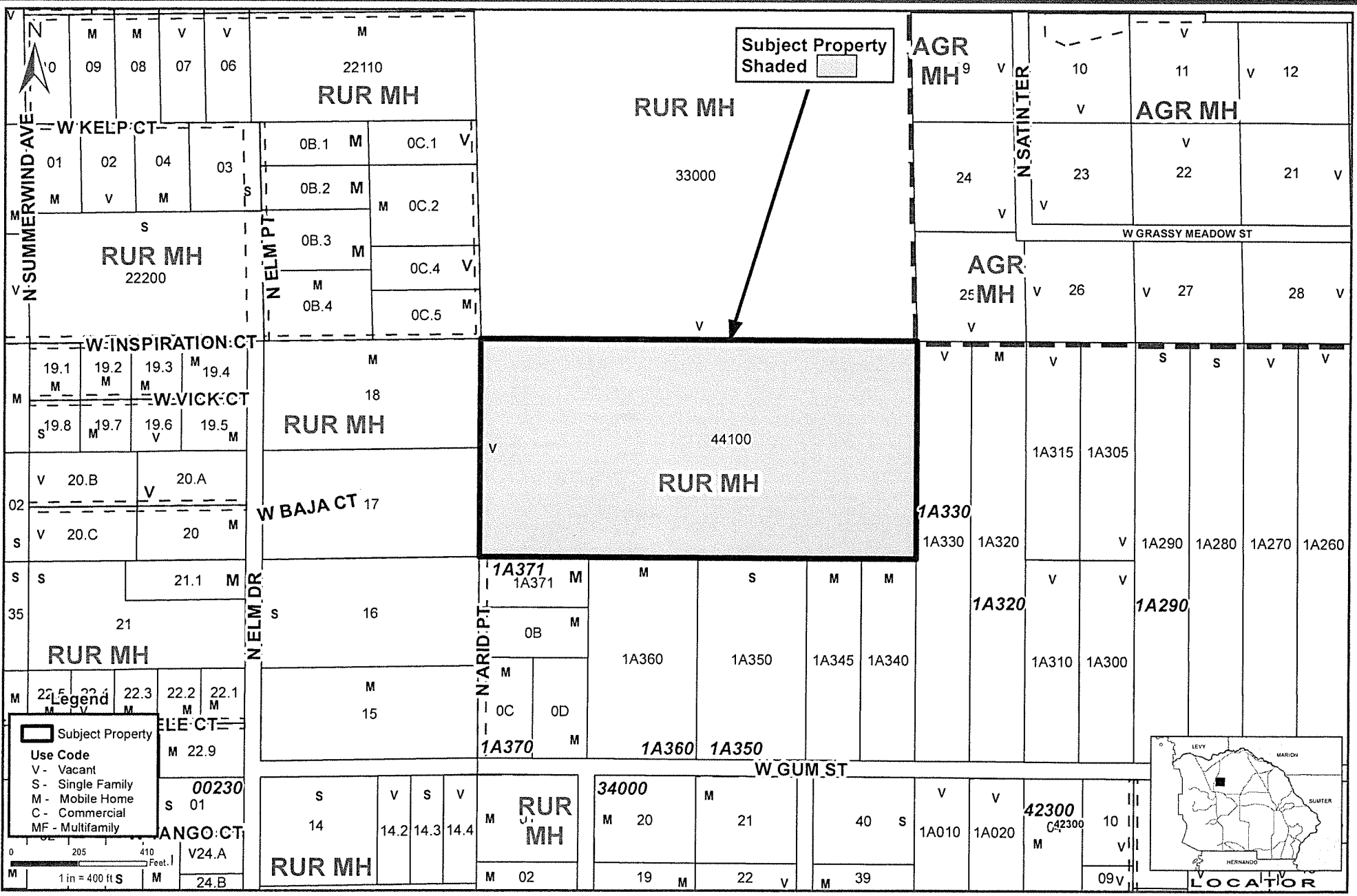
### **PROPOSED FINDINGS OF FACT**

Pursuant to Section 4500, Conditional Uses, of the Citrus County Land Development Code (LDC), a Conditional Use application which meets the objective criteria of the LDC for that use shall be Presumed Entitled to approval. Such presumption may be rebutted by competent, substantial evidence that the applicable LDC criteria have not been met. Following completion of the public hearing, the PDC shall approve, disapprove, amend and approve the proposal, or approve the proposal with conditions. Any action taken shall be accompanied by the findings of the PDC upon which the action was based. Approval of a Conditional Use application shall be granted by the PDC only if all the following are positive:

1. ***The proposed uses and structures would violate the land uses, densities, or other directives of the adopted Comprehensive Plan or the LDC.*** The application as proposed is not consistent with the Comprehensive Plan for the proposed density in the RUR district.
2. ***The proposed uses and structures would be incompatible with the uses, structures, and activities on adjacent and nearby lands.*** The request is incompatible with the surrounding area as it is proposed due to its institutional use and activities within a residentially committed area, and the proposed increase in residential density.
3. ***The proposed uses and structures would not violate health, safety, welfare, and/or convenience of those residing, working, or owning land in the vicinity of the proposed use or structure, specifically with respect to:***
  - a. ***The use or structure would exceed the applicable density or bulk regulations except as specifically authorized, nor shall the use or structure result in overcrowding of land or buildings;*** The application as proposed is not consistent with the Comprehensive Plan for the proposed density in the RUR district
  - b. ***The use or structure would not impair pedestrian or vehicular movement in adjoining streets so as to violate adopted level of service standards;*** The site is located on a private unpaved roadway.

- c. ***The use or structure would not create a fire hazard;*** The application as proposed would not create a fire hazard.
  - d. ***The use or structure would not result in noise, odor, glare, vibration or other similar characteristic, which is detectable at the property line and which exceeds the level which will result from permitted uses;*** The use as a halfway house is not anticipated to result in noise, odor, glare, vibration, or other similar characteristic detectable at the property line as long as the proposed conditions are adhered to.
  - e. ***The use or structure would not prevent an adjoining landowner from the legal use of his property pursuant to the LDC;*** The use as proposed will not prevent use of adjoining lands.
  - f. ***The use or structure would not violate a requirement or limitation of any applicable state or federal law or regulation;*** The use as proposed will not violate applicable state law or federal regulation.
  - g. ***The use or structure would not result in the inadequacy or inability of any public facility or service to meet adopted standards.*** The site will be served by proposed onsite well and septic.
4. ***Termination and/or expiration of Conditional Uses - The PDC may specify a term for the duration of a Conditional Use. A Conditional Use will terminate if no development activity under the Conditional Use is commenced within three years of the date of approval, or if the approved use ceases for a period of three years. The property owner may seek an extension by applying to the PDC.*** The applicant has not requested an extension of the three-year term.

AB/SW/cb



Application #: CU-21-01	Applicant: Jim Penna for James Housh
Proposal: Halfway House in RUR MH	Location: 4881 N Arid Pt., Crystal River
LDC Atlas: Rural Residential with Mobile Homes Allowed (RUR MH)	S-T-R - 11-18-17 NW
Planner Initials: <i>[Signature]</i> Date: 12/30/20	

**Geographic Information Systems**

Cynthia P. Skellhorn  
*[Signature]*  
 Director

Prepared By : Susan O'Connell  
 Date: December 8, 2020  
 Source: Enterprise Geodatabase  
 Map Number: SO001093

The information is to be used for general purposes only. The Citrus County Geographic Information Systems Division makes every effort to provide accurate information, but cannot be held responsible for errors or omissions. Citrus County shall not be liable for any claims, damages, or losses of any kind in connection with the use of this information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of this information and the mapping, copying, or displaying of these materials.

