MINUTES
BREVARD PLANNING BOARD
July 20, 2010

The Brevard Planning Board met for the regularly scheduled meeting on Tuesday, October 19th, 2010 at 7:00 PM in the Council Chambers of City Hall.

Members Present:	Karla Atkinson, Chairperson Rick Lasater, Vice Chairman Katie Baer Seyl Park Kimsey Jackson Paul Welch
Members Absent:	Gary Daniel
Staff Present:	Josh Freeman, Planning Director Daniel Cobb, Planner Callie Nef, Acting Board Secretary

Chairperson Atkinson called the meeting to order at 7:00 PM. A quorum was present and there was a moment of silent meditation.

New Business –

Consideration of Text Amendments Regarding Group Care Facilities – Chairperson Atkinson explained that the Board is to consider and recommend action for the proposed text amendments regarding Group Care Facilities. She turned the floor over to J. Freeman to present his staff report (on file in the Planning Department). J. Freeman began by stating that a local non-profit agency that provides services to battered and abused women intends to expand its facility. Because the facility is currently located within a residential zoning district, it could not legally be permitted under the existing ordinance. He said that Staff is proposing several amendments to the ordinance that under limited conditions that are intended to protect the public health, safety and welfare.

J. Freeman read the ordinance's current definition of a Group Care Facility, and then went on to carefully describe the proposed amendments, which are in Chapter 2 (Section 2.2.C, Use Matrix, Excerpt), Chapter 3 (3.31 a-k, Additional Use Standards, Group Care Facility), and Chapter 19 (Section 9.3, Definitions, Group Care Facilities). These changes are highlighted in blue in the staff report (on file in the Planning Department).

J. Freeman concluded that it is Staff's position that this existing facility is best classified as a group care facility. He said that it and similar group care facilities can be safely integrated into residential zoning districts with appropriate safeguards, and that such safeguards should be applied to group care facilities in all zoning districts. J. Freeman went on to say that The City of Brevard Technical Review Committee considered the proposed amendments on July 07, 2010 and unanimously recommended their approval as presented.

There was much discussion on section (f.) of 3.31 regarding requirements of the Safe Housing Act conflicting with the welfare of the community. J. Freeman stated that there were some concerns with this section and that it was to be discussed with the City's attorney to determine the best course of action. The minimum acreage requirement in Section (g.) of 3.31 was a topic of concern as well. Section (i.) of 3.31 regarding concerns about "adequate supervision" and "applicable licensing requirements" was also heavily discussed. The definition of a "service" within a group care facility was another issue of concern and discussed at length by the Board. There were also some questions raised about group care facilities being located in General Residential districts and those people who will be allowed to be admitted based on their criminal background.

J. Freeman said that there are some legitimate concerns with the possible risks associated with the nature of group care facilities and locating them in General Residential districts, and that there are many questions and issues to work out with the City's attorney. He also reminded the Board that while Staff recommends approving these amendments, it will be a change for the City with possible risks associated.

Motion: S. Park moved to accept the text amendments as presented, except Section (g.) of Chapter 3.31 (increasing the minimum lot size requirements for Group Care Facilities), and consultation with the City attorney on Section (f .) of Chapter 3.31 and perhaps other sections of Chapter 3.31, specifically (k.), and based on his council making the minor language changes he suggests.

Motion was seconded by R. Lasater

Discussion on the Motion: None.

Vote on the Motion:
Aye: S. Park, R. Lasater, K. Baer and Chairperson Atkinson
Nay: None
Motion carried unanimously

There was brief discussion regarding an update and the scheduling for the UDO Assessment process.

Other Business: None

There being no further business before the Board, a Motion was made and seconded to adjourn. Meeting was adjourned at 7:49 PM.

Karla Atkinson, Chair

Callie Nef, Acting Secretary