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Manatee County Government Administrative Center
First Floor, Commission Chambers
9:00 a.m. - January 3, 2013

January 3, 2013 Land Use Meeting

MEETING CALLED TO ORDER (Larry Bustle, Chairman)

INVOCATION (The commission does not endorse the religious beliefs of any speaker.)

1. Invocation led by Pastor Rick Speece, Calvary Baptist Church

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

A. AWARDS/PRESENTATIONS/PROCLAMATIONS

REQUEST BY COMMISSIONERS (Items to be pulled from Consent Agenda)

CITIZEN COMMENTS (Consent Agenda Items Only)

B. CONSENT AGENDA

Clerk of Circuit Court

2. Clerks Consent Agenda

Attachment: 130103 BC Clerks Consent.pdf

CITIZEN COMMENTS (Consideration for Future Agenda)

C. ADVISORY BOARD APPOINTMENTS

D. ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

Building and Development Services

3. PDMU-12-06(G) - Village Square - DTS#20120156 - Quasi-Judicial - Kathleen Thompson

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Attachment: Staff Report Village Square PDMU-12-06(G) - 1-3-13 BC.pdf
Attachment: Maps - Future Land Use, Zoning and Aerial Village Square PDMU-12-06(G) 1-3-13 BC.pdf
Attachment: Specific Approval Request Letter Village Square PDMU-12-06(G) - 1-3-13 BC.pdf
Attachment: Copy of Newspaper Advertising Village Square PDMU-12-06(G) 1 -3 - 13 BC.pdf
Attachment: Public Comment Letter Village Square PDMU-12-06(G) - 1-3-13 BC.pdf
Attachment: Ordinance Village Square PDMU-12-06(G) 1-3-13 BC.pdf
Attachment: Site Plan Village Square PDMU-12-06(G) 1-3-13 BC.pdf
Attachment: Slideshow Public Works - Village Square PDMU-12-06(G) 1-3-13 BC.pdf

4. PDPI-09-12(P)(R) - North Manatee Recycling and Disposal Facility Class III Landfill - DTS20120393 - Quasi-Judicial - Katie LaBarr

Attachment: Staff Report - North Manatee Recycling and Disposal Facility Class III Landfill - PDPI-09-12(P)(R) - 01-03-13 BC.pdf
Attachment: Ordinance - North Manatee Recycling and Disposal Facility - PDPI-09-12(P)(R) - 01-03-13 BC.pdf
Attachment: Copy of Newspaper Advertising - PDPI-09-12(P)(R) - North Manatee Recycling and Disposal Class III Landfill - 01-03-13 BC.pdf
Attachment: Previous Ordinance - North Manatee Recycling - PDPI-09-12(P)(R) - 1-03-13 BC.pdf
Attachment: Previous Site Plan - North Manatee Recycling - PDPI-09-12(P)(R) - 01-03-13 BC.pdf
Attachment: Previous Staff Report - North Manatee Recycling - PDPI-09-12(P)(R) - 01-03-13 BC.pdf
Attachment: Maps Future Land Use Zoning and Aerial North Manatee Recycling.pdf

5. Ordinance 13-03 - fka 12-05 - Billboards Land Development Code Amendment - Robert Schmitt - Legislative (Correct Ordinance number is 13-02)

Attachment: Ordinance 13-02 fka 12-05 for 01-03-13 BC.pdf
Attachment: Exhibit A- Definitions - Billboards for 01-03-13 BC.pdf
Attachment: Exhibit B - Section 724 List of Sections - Billboardsfor 01-03-13 BC.pdf
Attachment: Exhibit B - Section 724 Signs - Billboards for 01-03-13 BC.pdf
Attachment: Exhibit C - Amendment to Section 603.4 - Billboards for 01-03-13 BC.pdf
Attachment: Exhibit D - Amendment to Section 737 - Billboards for 01-03-13 BC.pdf
Attachment: Exhibit E - Amendment to Section 720 - Billboards for 01-03-13 BC.pdf
Attachment: Copy of Newspaper Advertising for 01-03-13 BC.pdf
Attachment: Slideshow - Planner - Ord. 13-02 - 01-03-13 BC.pdf

6. PDMU-97-05(P)(R5) - Ellenton Ice and Sports Complex (fka JP Igloo) -

DTS20120106 - Quasi-Judicial - Robert Schmitt - Continued from June 7, 2012

Attachment: Maps - Future Land Use - Zoning and Aerial - PDMU-97-05(P)(R5) - Ellenton Ice and Sports Forum - 01-03-13 BC.pdf
Attachment: Staff Report - PDMU-97-05(P)(R5) - MJ Squared, LLC Ellenton Ice and Sports Forum - 01-03-13 BC.pdf
Attachment: Ordinance - PDMU-97-05(P)(R5) - MJ Squared, LLC Ellenton Ice and Sports Forum 01-03-13 BC.pdf
Attachment: Copy of Newspaper Advertising - PDMU-97-05(P)(R5) - Ellenton Ice and Sports Forum - 01-03-13 BC.pdf
Attachment: Site Plan - PDMU-97-05(P)(R5) - Ellenton Ice and Sports Forum - 01-03-13 BC.pdf

E. ADVERTISED PUBLIC HEARINGS (Presentation Scheduled)

Building and Development Services

7. PA-13-01 - Proposed Ordinance 13-03 - Plan Amendment Complete Streets - Legislative - Kathleen Thompson

Attachment: Staff Report - Comp Plan Amendment Complete Streets - PA-13-01Ord. 13-03 - 01-03-13 BC.pdf
Attachment: Copy of Newspaper Advertising - Plan Amendment Complete Streets PA-13-01 - Proposed Ord. 13-03 - 01-03-13 BC.pdf

8. PDC-12-09(Z)(P) - Butler - Race Trac - Lena Road - DTS20120305 - Quasi-Judicial - Stephanie Moreland

Attachment: Maps - Future Land Use, Zoning and Aerial - Race Trac Lena Road - PDC-12-09(Z)(P) - 01-03-13 BC.pdf
Attachment: Staff Report - Race Trac Lena Road - PDC-12-09(Z)(P) - 01-03-13 BC.pdf
Attachment: Copy of Newspaper Advertising - Race Trac Lena Road - PDC-12-09(Z)(P) - 01-03-13 BC.pdf
Attachment: Letter requesting Specific Approval - Race Trac Lena Road - PDC-12-09(Z)(P) - 01-03-13 BC.pdf
Attachment: Zoning Disclosure Affidavit - Race Trac Lena Road - PDC-12-09(Z)(P) - 01-03-13 BC.pdf
Attachment: Ordinance - Race Trac Lena Road - PDC-12-09(Z)(P) - 01-03-13 BC.pdf
Attachment: Slideshow - Planner - Race Trac Lena Road - PDC-12-09(Z)(P) - 01-03-13 BC.pdf
Attachment: Site Plan - Race Trac Lena Road - PDC-12-09(Z)(P) - 01-03-13 BC.pdf

9. PDR-12-03(Z)(G) - Rowe Ventures, LLC - The Aviary at Rutland Ranch - DTS#20120045 - Quasi-Judicial - John Osborne

Attachment: Staff Report the Aviary at Rutland Ranch - PDR-12-03(Z)(G) 1-

3-13 BC.pdf

Attachment: Maps - Future Land Use, Zoning and Aerial - Aviary at Rutland Ranch - 1-3-13 BC.pdf

Attachment: Zoning Disclosure Affidavit - Aviary at Rutland Ranch - PDR-12-03(Z)(G) - 1-3-13 BC.pdf

Attachment: Specific Approval Request Letter - Aviary at Rutland Ranch - PDR-12-03(Z)(G).pdf

Attachment: Copy of Newspaper Advertising Aviary at Rutland Ranch PDR-12-03(Z)(G) 1-3-13 BC.pdf

Attachment: Site Plan - Aviary at Rutland Ranch - 1-3-13 BC.pdf

Attachment: Slideshow planner Aviary at Rutland Ranch PDR-12--03(Z)(G) 1-3-13 BC.pdf

Attachment: Slideshow Public Works - PDR-12-03(Z)(G) 1-3-13 BC.pdf

Attachment: Ordinance - Aviary at Rutland Ranch - PDR-12-03(Z)(P) - 01-03-13 BC.pdf

F. REGULAR

Natural Resources

10. RESTORE Act

Attachment: Attach_01 03 2013 Summary List.pdf

Attachment: Attach_Habitat part 1 of 4.pdf

Attachment: Attach_Water Quality part 2 of 4.pdf

Attachment: Attach_Living Resources part 3 of 4.pdf

Attachment: Attach_Resilience part 4 of 4.pdf

G. REPORTS

COMMISSIONER AGENDA

11. Full Agenda

Attachment: 130103bc_lu_Docs.pdf

COMMISSIONER COMMENTS

ADJOURN

MEMORANDUM



**Building and Development
Services**
1112 Manatee Avenue W
Bradenton, FL 34205

MANATEE COUNTY
FLORIDA

Phone: 941-748-4501 x 6878
Fax: 941-749-3098
www.myanatee.org

To: Robert Schmitt, AICP, Planning Division Manager
From: Bobbi Roy, Planning Coordinator
Date: January 2, 2013
Subject: Agenda Update for the January 3, 2013 Board of County Commissioners Land Use Meeting

THIS MEMO AND THE CHANGES INDICATED BELOW ARE REFLECTED IN THE ELECTRONIC AGENDA (E-AGENDA)

Item #4 – PDPI-09-12(P)(R) – North Manatee Recycling and Disposal Facility Class III Landfill
Revised Stipulations - see attached

Item #5 – Ordinance 13-03 – fka 12-05 – Billboards Land Development Code Amendment
Revised Language to Exhibit "B" – See Attached in strikethrough / underline format.

BOCC: January 3, 2013

Item # 5

Ordinance 13-03 – fka 12-05 – Billboards Land Development Code Amendment – Robert Schmitt – Legislative

Revision to Exhibit B Section 724.18.1(5)(C) Exchange Rate and 724.18.1(6)(a) Locational and Dimensional standards (in strikethrough/underline format)

724.18.1. *Billboard Signs.*

(1) Purpose. The purpose of this Section is to provide standards and restrictions for the exchange of signs previously approved as message center signs for electronic billboard signs to promote the visual aesthetics of the County and safety of vehicular travel.¹ These standards and restrictions maintain, support and protect the aesthetic character of the County by providing for the removal of certain message center signs, as well as protect the safety of the motoring public, by limiting the location of and specifications for electronic billboard signs and generally further the public interests of the citizens of Manatee County.

(2) Applicability. This Section shall be applicable to real property located within the Entranceway adjacent to I-75 which previously received Preliminary Site Plan approval for an on-site, free-standing message center sign in excess of 400 square feet on property zoned Planned Development-Mixed Use (PDMU) and located within the Mixed Use (MU) Future Land Use Classification prior to January 1, 2012.

(3) Definitions.

Electronic Billboard Sign. For purposes of this Section, electronic billboard sign is defined as a billboard sign that incorporates within or upon one or more of its sign faces digital or other electronic changeable message technology that allows advertising copy to be changed remotely rather than by changing the advertising copy on site with poster sheets or vinyl.

(a) Dwell Time is the minimum duration of a single display on an electronic billboard sign. During the dwell time, the message display shall be static, and there shall not be any change of color, flash, fade, rotation, twinkle, swirl, scroll, show of action or motion, or illusion of action or motion.

(b) Message Sequencing means dividing a single thought or message into two (2) or more successive sign

¹ Message center signs as a sign type were deleted from the LDC by the adoption of Ordinance No. 11-05.

displays on a single electronic billboard sign. For example, it shall be considered message sequencing if the second display answers a textual question posed in the first display, continues or completes a sentence started on the first display, or continues or completes a story line started on the prior display.

(4) Upgrade to electronic billboard sign. An on-site sign previously approved as a free-standing message center sign may be upgraded to an electronic billboard sign upon processing an application for a Preliminary Site Plan approval to be heard by the Board of County Commissioners. A sign permit is also required in accordance with this code. A Preliminary Site Plan approval and the sign permit is only valid for the specific location for which it has been issued. A Preliminary Site Plan approval and sign permit may not be transferred from one location to another. For each electronic billboard sign for which approval is sought, the sign owner must submit an application demonstrating that each of the following conditions of approval have been met:

(5) Exchange rate.

- (a) A minimum of eight (8) sign faces of static outdoor advertising signs must be permanently removed in exchange for each single sign face on an electronic billboard sign (electronic billboard sign face). In addition, the combined square footage of sign face area removed shall total at least four (4) times the square footage of electronic billboard sign face for which approval is sought.
- (b) Notwithstanding, the foregoing subsection (a) above, as an alternative to the exchange rate described above, a sign owner may permanently remove one (1) electronic billboard sign face in exchange for a new electronic billboard sign face and another location for which a sign permit is sought.
- (c) Removal of the free-standing message center sign referred to in Subparagraph (4) of this Section, if constructed, must occur prior to the effective date of this Section in order to count for purposes of exchange of the exchange rate in this Section.

(6) Locational and Dimensional Standards:

- (a) ~~The electronic billboard shall have a~~ Each single sign face of the electronic billboard ~~which~~ shall not exceed 700 square feet.
- (b) The parcel upon which the electronic billboard sign is located shall not be within a historic view protection area.
- (c) The parcel upon which the electronic billboard sign is located must be adjacent to I-75 with the electronic billboard sign being orientated towards and viewable from I-75.
- (d) The maximum height of the electronic billboard sign shall be sixty-five (65) feet.
- (e) No electronic billboard sign shall be located within 400 feet of any residentially zoned property or within 400 feet of any property with an existing legal residential land use. The distance shall be calculated as the shortest measurable distance between the nearest point of the electronic billboard sign to the edge of the residential district or residential property.
- (f) Spacing. Electronic billboard signs shall be spaced a minimum of two thousand, five hundred (2,500) feet from another electronic billboard sign which is facing in the same direction on the same roadway.

BOCC: January 3, 2013

Item #4

PDPI-09-12(P)(R) – North Manatee Recycling and Disposal Facility Class III

Landfill – DTS#20120393 – Quasi-Judicial – Katie LaBarr

Revisions to Stipulations in Strikethrough underline format. This change does not affect the motion.

A. DESIGN AND LAND USE CONDITIONS:

1. The operating hours of the facility for the receipt of waste shall be limited to no earlier than 5:00 AM to no later than 9:00 PM seven days per week. Notwithstanding the prescribed hours of operation, during any period of time under which Manatee County or any surrounding County, is under a state of emergency or disaster declaration issued by the Governor or other appropriate party, there shall be no limitation on the hours of operation for the duration of the emergency and for 60 days thereafter.
2. The applicant shall provide a soil cover on top of all exposed waste on the working face of the facility in conformance with all applicable Federal, State regional and local permits. ~~FDEP Permit # 298891-002 SO/T3 and amended as #298891-003 SO/MM, and as same may be amended from time to time.~~