

P.C: 02/14/02

ORDINANCE 02-20 (f.k.a. ORDINANCE 01-67)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED): AMENDING ACCESSORY USES, DEFINITIONS, PLOT PLAN STANDARDS, SIGN DEFINITIONS, FIGURE 6-2, OFF STREET PARKING, LANDSCAPING, HISTORIC VISTA PROTECTION, REQUIRED IMPROVEMENTS, ADVERSE IMPACTS, EASEMENTS AND ENTRANCEWAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

P.C.: 01/10/02, 02/14/02

B.O.C.C.:

02/26/02, 03/26/02

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan, and CONSISTENT with the general purpose and standards of Section 503 of the Manatee County Land Development Code, I move to recommend ADOPTION of Manatee County Ordinance 01-67, amending the Manatee County Land Development Code (Ordinance 90-01, as amended), as recommended by staff.

PLANNING COMMISSION ACTION:

On January 10, 2002, by a vote of 7- 0, the Planning Commission CONTINUED the public hearing for this item to February 14, 2002.

PUBLIC COMMENT/CORRESPONDENCE:

There was no public comment and no correspondence was entered into the record for this case at the January 10, 2002 Planning Commission public hearing.

PC20020214DOC007

Ordinance 02-20

Land Development Code Text Amendments

Discussion

- ▶ **The following amendments are proposed to correct inconsistencies, clarify existing situations, and update current regulations to meet changes in either the Comprehensive Plan or the Florida Statutes.**
- ▶ **Specifically, the amendment includes the following changes:**
 - ▶ **Swimming pools-amending definitions, standards and references to be consistent with state requirements;**
 - ▶ **Commercial Parking-amending the definition to be more specific as to what is allowed to be parked as part of the definition and making it a principal use of land.**
 - ▶ **Roof Sign-amending the definition to exclude those signs erected on the vertical portions of cupolas.**
 - ▶ **Plot Plan Standards- update the existing references to the Florida Administrative Code.**
 - ▶ **Amend note 5 on the non-residential page within the Use Chart to cross reference with the Special Approval section.**
 - ▶ **Restricted Vehicles- include language that makes it clear that such vehicles shall not be parked within the street abutting a residential lot.**
 - ▶ **Gatehouses- add thresholds to the requirements for stacking spaces at entry gates for residential projects with private streets that are restricting entry.**
 - ▶ **Landscaping- update a reference in 715.3.19(g).**
 - ▶ **Historic Vista Protection- Clarify procedures for designating new areas for historic vista protection.**

- ▶ **Sidewalk Deferrals- add language to allow for deferral of a sidewalk for a minor subdivision when it is not located within a walking mile of a school.**
- ▶ **Sidewalks- increase the requirement for provision of sidewalks from within one walking mile of a school, to within two walking miles.**
- ▶ **Adverse Impacts-amend a reference to the Noise Ordinance.**
- ▶ **Entranceways- amend a reference in the landscaping section.**
- ▶ **Accessory equipment in easements-clarify existing language.**

Swimming Pools

Discussion

- ▶ The state statutory requirements have changed for swimming pools. The proposed amendments are necessary to bring our Land Development Code regulations into conformance with these state regulations. Adoption of State Statute 515 and changes in 514, require modification of Section 703.2.23 LDC and associated definitions to eliminate conflicts.
- ▶ Also included in the proposal is clarification of the yard encroachment regulations as they relate to swimming pools, pool cages, and decks for pools.
- ▶ The existing swimming pool regulations section covered both public and private pools. This proposal in order to reflect the state revision and retain provisions on public pools divides the regulation into two categories, Single Family Swimming Pools and Public Swimming Pools, which includes multi-family.
- ▶ The regulations for barriers on single family reflects the new state residential swimming pool regulations 515 FS. While the County's barrier regulations are being retained for public, community and multi-family pools. The state definition of residential, does not include portable spas, therefore special reference is included here.
- ▶ The proposed amendments are consistent with the Comprehensive Plan and other provisions of the Land Development Code.

Proposed Change

Add the following:

Public Swimming Pool - See Pool, Public Swimming

Add definition of Pool, Public Swimming as follows:

Pool, Public Swimming means a watertight structure of concrete, masonry, or other approved materials which is located either indoors or outdoors, used for bathing or swimming by humans, and filled with a filtered and disinfected water supply, together with buildings, appurtenances, and equipment used in connection therewith. A public swimming pool shall mean a conventional pool, spa, spa-type

pool, wading pool, special purpose pool, or water recreation attraction, to which admission may be gained with or without payment of a fee and includes, but is not limited to, pools operated by or serving camps, churches, cities, counties, day care centers, group homes facilities for eight or more clients, health spas, institutions, parks, state agencies, schools, subdivisions, or the cooperative living-type projects, such as apartment, boarding houses, hotels, mobile home parks, motels, recreational vehicle parks, and townhouses. However the term does not include a swimming pool located on the premises of a single-family or duplex dwelling. Any swimming pool not accessory to, and not situated on the premises of a single-family, or duplex dwelling for the purposes of this code shall be considered a Public Swimming Pool.

Delete the definition of Pool, Swimming.

~~*Pool, Swimming* shall mean any pool, spa, permanent or portable, which is over twenty-four (24) inches in depth, generally used for recreational purposes and normally has a water filtration system.~~

Add the following definition:

Pool, Single Family Swimming, shall mean any swimming pool, spa, or spa-like structure, that are accessory to, and situated on the premises of a single-family, or duplex dwelling that is intended for swimming or recreational bathing and contains water over twenty-four (24) inches deep, including, but not limited to, in-ground, above ground, and on-ground swimming pools, hot tubs, and non-portable spas.

Add the following definition:

Portable Spa, shall mean a non-permanent structure intended for recreational bathing, in which all controls and water heating and water circulating equipment are an integral part of the project and which is cord connected and not permanently electrically wired.

Single Family Swimming Pool, See Pool, Swimming Single Family.

Amend the following definition:

Screen Cage (only for the purpose of allowing setbacks per 703.2.23.1) shall mean a type of screen enclosure consisting of a structural network of metal or wood members with open mesh panels for both walls and roofs which encloses a single-family swimming pool or spa.

Amend Section 703.2.23 as follows:

703.2.23. Swimming pools, and their accessory screen cages and bathhouses, subject to the following requirements:

703.2.23.1. Location. All single-family swimming pools (whether above or below grade), portable spas and their accessory screen cages, and pool decks on grade ~~shall not be located closer than~~ may be located a minimum of five (5) feet to from any lotline or shoreline in the side or rear yard, when measured from the outer periphery of the pool deck. ~~No pool, deck or screen cage shall be located in an easement or drainage swale. Bathhouses shall meet the applicable district setback requirements. Screen cages shall not contain an impervious roof surface if a five foot setback is requested. The roof shall be constructed of screen material, if a five (5) foot setback is to be used. When a portion of~~ the screen cage does contain an impervious roof surface (non-screen material), all applicable district building setbacks must be met by that portion.

In zero lot line or similar type developments, the smaller of the five (5) foot setback or the district setback, ~~whichever is less~~, shall apply. Whenever the setback is less than five (5) feet, the swimming pool area (swimming pool, deck, screen cage) shall be screened from the neighboring property by a masonry wall a minimum of six (6) feet in height and a maximum of eight (8) feet in height when measured from the finished floor grade.

Single-family swimming pools, pool cages, and decks or patios associated with single-family swimming pools shall not be considered a yard encroachment subject to Section 702.7

Bathhouses and Public Swimming Pools shall meet the applicable district setback requirements.

No swimming pool, spa, deck or screen cage shall be located in an easement or drainage swale.

703.2.23.2 Swimming Pool and Spa Safety.

703.2.23.4.2.1 Construction. During all swimming pool construction, the contractor shall install and maintain a temporary or permanent enclosure in accordance with ~~the above requirements.~~

Section 703.2.23.2.5.6. No temporary enclosure may be removed until a permanent enclosure has been properly installed.

703.2.23.5.2.2 Permanent enclosures shall be properly installed prior to final swimming pool inspection;

703.2.23.2.3 Single Family Swimming Pools shall be in conformance with Chapter 515, F.S., the Preston de Ibern/McKenzie Merriam Residential Swimming Pool Safety Act. Compliance with this act shall be reviewed by the Building Official.

703.2.23.2.4. Portable Spas, which contain water over twenty-four (24) inches deep shall be within an completely enclosed area or enclosed with a fence in compliance with Section 703.2.23.2.5.6.

703.2.23.2.5. Public Swimming Pools.

703.2.23.6-2.5.1. Telephone: For safety reasons, a telephone for pool users, shall be readily accessible adjacent to the pool, and within the enclosed area at all pool locations, ~~except when accessory to an individual single family or duplex dwelling unit.~~

703.2.23.2.5.2 The immediate perimeter of all Public Swimming Pools , spas and other non-single family swimming pools shall be fenced or enclosed in accordance with Section 703.2.23.2.6 unless the Planning Director finds that:

~~703.2.23.2.4~~ 1. The pool is separated from adjoining on-site and off-site buildings and located in; a yard or area which is accessible only by passing through a self-closing, self-latching gate; or located within an enclosed building, or

~~703.2.23.2.2.~~ 2. A comparable measure of protection from unauthorized access to the pool is provided by:

~~703.2.23.2.2.4~~ a. The existence of practically impassible natural or manmade permanent barriers separating the pool from adjoining on-site and/or off-site structures and properties, or

~~703.2.23.2.3.~~ b. A readily visible warning sign shall be installed for circumstances ~~under 703.2.23.2.2.~~

~~703.2.23.2.2.2.~~ c. A combination of these or plainly similar circumstances.

~~703.2.23.2.3.~~ ~~A readily visible warning sign shall be installed for circumstances under 703.2.23.2.2.~~

703.2.23.2.6 Enclosures:

All fences or other barriers which enclose or protect the pool or yard area from unauthorized access shall be at least four (4) feet in height with the vertical protective barrier material such that a four (4) inch diameter sphere cannot pass

through any opening. All entryways or gates to fenced or enclosed pools shall open outwards away from the pool and have self-closing, self-latching safety latches, the release mechanism of which must be located on the pool side of the gate or entryway. The mechanism shall be mounted at a minimum height of three feet six (3' 6") inches (3' 6") above grade and otherwise be designed and placed so that it can not be reached by a child under six (6) years of age by reaching over the top, or through any opening or gap.

~~703.2.23.4. During swimming pool construction, the contractor shall install and maintain a temporary or permanent enclosure in accordance with the above requirements. No temporary enclosure may be removed until a permanent enclosure has been properly installed.~~

~~703.2.23.5. Permanent enclosures shall be properly installed prior to final inspection;~~

~~703.2.23.6. Telephone. For safety reasons, a telephone for pool users, shall be readily accessible adjacent to the pool at all pool locations, except when accessory to an individual single family or duplex dwelling unit.~~

Commercial Parking Discussion

- ▶ There has been confusion as to the application of this definition. The proposed amendment seeks to clarify the definition of commercial parking as a principal use of land, not an accessory use.
- ▶ The potential impacts of this amendment are limited to those who would seek to utilize parking for a fee.
- ▶ The proposed amendment is consistent with the Comprehensive Plan and other provisions of the Land Development Code.

Proposed Change

Amend the definition of Parking, Commercial as follows:

Parking, Commercial shall mean a principal use of land or structures designed primarily for the parking of ~~domestic and commercial vehicles~~; personal vehicles for a fee. This term does not allow the parking of vehicles over one-ton, recreational vehicles, commercial vehicles, or trailered vehicles (boats, RV's etc.).

Roof Sign Definition Discussion

- ▶ This amendment is proposed to clarify the locations which are not included within the definition of a roof sign. This change would allow sign placement on the vertical wall portion of a cupola.
- ▶ Roof signs, as a rule are not allowed within the county, so this clarification will be useful in administering the sign portion of the Code.
- ▶ This amendment is consistent with the Comprehensive Plan and other provisions of the Land Development Code.

Proposed Change

Amend the definition of Sign, Roof as follows:

Sign, Roof shall mean a sign erected upon or above the roof surface of any building. This term shall not include a mansard sign or a sign erected on the vertical wall portion of a cupola.

Plot Plan Requirements Discussion

- ▶ This change has been proposed in order to bring the current requirement within the Land Development Code into conformance with changes to the Florida Administrative Code.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Proposed Change

Amend Section 508.3.5(4) as follows:

508.3.5. Plot Plan Requirements. Plot plan standards may be utilized for the following types of projects and applications in lieu of the requirements in section 508.3.4 above: Administrative and Special Permits for Manufactured Homes, agricultural uses that require site plan approval (with the exception of Farm Equipment and Supply Establishments, Agricultural Products Processing Plants, Animal Products Processing Facilities, Slaughterhouses, and Veterinary Hospitals), projects which are proposing to increase square footage by less than one thousand five hundred (1,500) square feet, private streets, off-street parking plans, requirements for Alcoholic Beverage Licenses in existing facilities, change of permitted use in an existing building and other projects as determined by the Planning Director. The standards are as follows:

4. Property Boundary Survey. A boundary survey of the subject property which meets the minimum requirements as set forth in Chapter ~~21-11-6~~, 61 G 17-6 FAC.

Figure 6-2, Schedule of Area, Height, Bulk and Placement Regulations Discussion

- ▶ The proposed amendment is regarding note 5 on the non-residential page of setbacks, which ties Section 605 into this note and show how Special Approval will be determined when an increase in Floor Area Ratio is requested.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Proposed Change

Figure 6-2, Schedule of Area, Height, Bulk and Placement Regulations, amend the notes as follows:

Amend Note 5 on the non-residential page as follows:

- (5) In order to receive the greater FAR, Special Approval is required, as determined by Section 605.

Restricted Vehicles Discussion

- ▶ There has been an inconsistency between how restricted and commercial vehicles have been treated with regards to language restricting them from parking within the rights-of-way.
- ▶ This proposed amendment is to clarify that restricted vehicles are not allowed to be parked within the right-of-way at any time.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Proposed Change

Section 703

Amend Section 703.2.15.3 as follows:

703.2.15.3. Exceptions: Restricted Vehicles may be parked in the driveway, drive aisle, or parking stall of a front yard as follows:

When in an A or A-1 district;

Commercial vehicles parking as allowed in Section 703.2.14;

When part of a vehicle sales use permitted by district regulations and approved plans.

703.2.15.3.1. No restricted vehicle shall be parked or located in any utility or drainage easement, visibility triangle, street right-of-way abutting a residentially used lot, fire lane, walkway, exitway, drive aisle, maneuvering area or landscape area. This shall not apply to service or delivery vehicles stopping within the street right-of-way during the normal course of business.

Restricted Entry Gates Discussion

- ▶ The Code has required that for gatehouses and restricted entry gates on private streets, a minimum of 4 stacking spaces be provided per lane.
- ▶ For smaller projects, this requirement has been both unnecessary and onerous to provide the necessary space within the project
- ▶ The proposed amendment provides a threshold of 250 units, below which, only 2 stacking spaces would be required. For those exceeding 250 units, the four stacking spaces would still be required.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Proposed Change

Section 710

710.5.5.3.3 amend as follows:

710.1.5.5.3.3. Gatehouses, Restricted Entry Gates. Private streets or drive aisles abutting such entry features shall have a minimum distance of two (2) feet between the structure and the drive aisle if there is no outward swinging door on the structure. If there is an outward swinging door, a minimum distance of five (5) feet between the structure and the drive aisle shall be required. For projects exceeding 250 units, a minimum of four (4) stacking spaces shall be required for each lane entering at a restricted entry gate or guard house entry. For projects under 250 units, a minimum of two (2) stacking spaces shall be required for each lane.

Landscaping Discussion

- ▶ The proposed amendment changes a cross-reference within the landscape section.
- ▶ The change will make this section of the Code consistent.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Proposed Change

Section 715

715.3.19(g) amend as follows:

- g. Perimeter Landscaping Requirements. Where vehicle use areas abut the roadway, the roadway buffer may serve as the perimeter parking lot buffer. However, where the vehicle use area does not abut a roadway, the perimeter landscaping requirements shall be a minimum width of eight (8) feet containing one (1) canopy tree meeting the minimum requirements of ~~715.10.6~~ 715.4(B) per forty (40) feet or substantial fraction thereof, and either shrubs, hedges, berming or fences or any combination thereof, to reach a height of forty-two (42) inches, two (2) years after installation, and being eighty (80) percent opaque.

Historic Vista Protection Discussion

- ▶ The current language requires a rezone to designate an historic vista protection area. There is no such zoning district within the Code.
- ▶ Future designations should be done by Code Amendment and amending this section, with a recommendation from the Historic Preservation Board.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Proposed Change

Section 720

720.2.1 amend as follows:

720.2.1. Those areas designated for historic vista protection area [are] as follows:

1. Desoto National Memorial Park
2. Gamble Plantation State Historical Site
3. ~~Other historic areas as designated by the Historical Preservation Board and rezone designation by the Board of County Commissioners.~~ [Reserved]

720.5 amend as follows:

720.5. Procedures for Designation of Historic Vista Protection Areas. Properties which meet the purpose and intent for Historic Vista Protection Areas set forth above may be designated according to the following procedures:

1. Preservation proposals for designation of potential Historic Vista Protection Areas shall be made to the Historic Preservation Board on forms provided by said Board. The Historic Preservation Board shall conduct a preliminary evaluation of the data provided in the proposal for conformance with criteria set forth above and may, if appropriate, direct the Planning Department to prepare a preliminary designation report, ~~and resolution.~~ The Historic

Preservation Board shall require the party initiating such proposal to provide necessary documentation, and to pay any applicable fees.

2. Preparation of Historic Vista Protection Area designation report. For every proposed Historic Vista Protection Area, a designation report shall be presented to the Historic Preservation Board at a regularly scheduled meeting.
3. The Historic Preservation Board upon approval, shall recommend ~~Zoning Atlas Amendments~~ a Land Development Code Text Amendment with appropriate notice, to the Planning Commission and Board for consideration subject to the requirements of Sections 306 and 503 504.

Sidewalks Discussion

- ▶ This proposed amendment would allow for a deferral of sidewalks for minor subdivisions when they are not located within a walking mile of a school.
- ▶ Minor subdivisions, by definition, contain 10 lots or less. Installation of the sidewalks for such a small subdivision has been prohibitive for many seeking to subdivide land.
- ▶ The deferral does not waive the sidewalk requirement, but defers it until such time as other sidewalks in the area are being constructed, or the county needs them to complete the sidewalk.
- ▶ There has also been a recent request by the Board to increase the distance requirement adjacent to schools upon which sidewalks would be required from one mile to two miles. As two miles is the maximum distance that a child would walk to school, this amendment is consistent.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Section 722

Amend 722.1.4.2 as follows:

722.1.4.3. A five (5) foot sidewalk shall be installed along all property lines abutting a street for all development requiring the approval of the Development Review Committee located:

-Within ~~one (1)~~ two (2) walking miles of any Public Elementary or Middle School or

-In PR, NC, GC, HC, LM and HM Zoning Districts, or

-Nonresidential planned development districts or

-Within a fifteen hundred (1,500) foot radius of a transit stop.

Amend 722.1.4.7 as follows:

722.1.4.7. *Agreement to Defer Completion of the Required Sidewalk.* The Planning Director may approve a deferral of construction, when, the owner executes an "Agreement to Defer Completion of the Required Sidewalk" and if one (1) or more of the following situations apply:

1. When strict application of the requirement for constructing sidewalks would be technically impractical in terms of engineering, design, or construction practices, or
2. When the strict application of the requirement for constructing sidewalks would be technically impractical due to the unusual size, shape, topography or existing conditions of the land (including the location of agency jurisdictional areas); or
3. Where a pedestrian easement would not provide for a satisfactory alternate location, or
4. When pending public improvements within the right-of-way would make provision of the sidewalks redundant.
5. When the sidewalk is required for a minor subdivision plat application, not located within two walking miles of an existing public, elementary or middle school.

This agreement shall be recorded on the Public Records of Manatee County, Florida in a manner to run with the land prior to issuance of any temporary or permanent Certificate of Occupancy. This agreement shall be binding upon the property owner and all subsequent owners.

Adverse Impacts Discussion

- ▶ The proposed amendment is to update a reference to the Manatee County Noise Ordinance.
- ▶ The Adverse Impacts section lists current laws and ordinances that are referenced for staff and applicant use.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Proposed Change

Section 723

Amend 723.2.1 as follows:

723.2. Laws, Codes, and Standards. The most current amendment of the following laws, codes and standards shall be strictly adhered to:

723.2.1. Noise: Manatee County Noise Ordinance ~~84-3~~ 99-20, as amended.

Entranceways Discussion

- ▶ This proposed amendment is to update a reference to the landscaping section of the Code.
- ▶ This also includes a requirement for landscape buffers within the entranceway to have a landscape easement established.
- ▶ This change is consistent with the Comprehensive Plan and Land Development Code.

Proposed Change

Section 737

Amend 737.5.1 as follows:

737.5.1. *Landscaping*. All required landscape areas and buffers shall retain existing native vegetation to the greatest extent possible. Existing trees and shrubs meeting the minimum standards set forth in Section 715 may be counted towards fulfilling the landscaping requirements. All required landscape buffers shall be shown on any site plan or plat as a landscape easement, and duly recorded as such after Final Site Plan approval.

Amend Section 737.5.1.2 as follows:

737.5.1.2. *Landscaping Easements*. These landscape buffers shall be maintained per Section 715.40.3 of this Code.

Accessory Equipment in Easements

Discussion:

- Currently, the Code does not allow for the placement of air conditioning units and other such mechanical structures within easements.
- Due to the smaller size of many lots and the larger size of homes being built on these lots, there is less room between homes and the side lot lines in which to place such equipment.
- In instances where there are neither drainage conveyance swales, pipes, nor utility lines located within side lot line easements, it appears that the allowance of an encroachment within such easement of less than a foot would be appropriate.

Proposed Text

702.7. Yard Encroachments. Every part of a required yard shall be open and unobstructed from thirty (30) inches above the finished grade of a lot upward, except as hereinafter provided or as otherwise permitted in this Code. Structures less than thirty (30) inches in height above final grade are not considered yard encroachments, except in drainage swales and easements, where no encroachments are permitted, except as described in 702.7.6 below. No structure shall be built or erected which would require railings or construction to encroach or extend upward above thirty (30) inches above the finished grade, except as provided under Section 702.7.1 below. No structure shall be built or finish grade to be constructed or altered which will cause storm water to flow onto adjacent property. In those developments where yard requirements are determined by a specified distance between buildings, this regulation shall likewise apply and the midpoint of the shortest line that can be drawn between the two buildings shall be employed as the lot line. No structure shall be placed in front of and within three (3) feet of an egress window required by the Manatee County Building Code.

702.7.6. Easement Encroachments. There may be minor encroachments into side or rear yard drainage and/or utility easements by air conditioning and pool equipment provided that the functionality of the easement is not compromised. There shall be no such encroachments within Conservation Easements.

907.10.1. Utility Easements. Utility easements, a minimum of five (5) feet in width, along all front, rear and side lot lines, and ten (10) feet along either the front or rear lot lines, for the express purpose of accommodating surface and underground drainage and overhead and underground utilities shall be required. If all utilities are to be installed underground,

then it shall be stated as such on the plat. The above mentioned ten (10) foot rear lot line easement may be reduced to five (5) feet if the contiguous adjoining lot has a minimum of five (5) foot existing public utility easement. All such easements shall be reserved for public use except where otherwise determined by this Code. The exact location and width of said easements relative to the lot lines may vary in certain pre-approved conditions so long as the intent and purpose of these regulations are satisfied. Grading of all utility easements shall be in accordance with the Manatee County Public Works Standards. All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended), with the intent to make recommendations to the Board of County Commissioners on:

Date: Thursday, February 14, 2002
Time: 9:00 AM or soon thereafter
Place: Manatee County Government Administrative Center
1112 Manatee Avenue West, 1st Floor Chambers

ORDINANCE 02-24 (f.k.a. Ordinance 01-40)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); REGARDING WETLAND BUFFERS, EROSION AND SEDIMENTATION CONTROL, AND OTHER ENVIRONMENTAL ISSUES; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

ORDINANCE 02-25 (f.k.a. Ordinance 01-56)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); REGARDING NUISANCE, EXOTIC PLANT SPECIES REMOVAL AND WETLAND BUFFER RESTORATION, AND OTHER ENVIRONMENTAL ISSUES; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

ORDINANCE 02-20 (f.k.a. Ordinance 01-67)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); AMENDING ACCESSORY USES, DEFINITIONS, PLOT PLAN STANDARDS, SIGN DEFINITIONS; FIGURE 6-2, OFF STREET PARKING, LANDSCAPING, HISTORIC VISTA PROTECTION, REQUIRED IMPROVEMENTS, ADVERSE IMPACTS, EASEMENTS AND ENTRANCEWAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

ORDINANCE 02-18 - ACCESS POINTS TO UNIVERSITY PARKWAY

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); AMENDING THE NUMBER AND LOCATION OF ACCESS POINTS TO UNIVERSITY PARKWAY.

The Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Planning Commission to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-104(PC). Copies of this Resolution are available for review or purchase at cost from the Manatee County Planning Department (see address below).

Please Send Comments To: Manatee County Planning Department
Attn: Agenda Coordinator
1112 Manatee Ave. West 4th floor
Bradenton, FL 34205

All written comments will be entered into the record.

For More Information: Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 749-3070 x 6829, between 8:00 AM - 5:00 PM, or by e-mail at planning.agenda@co.manatee.fl.us.

Americans With Disabilities: The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, FAX 745-3790.

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

1051004-0001

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended), with the intent to make recommendations to the Board of County Commissioners on:

Date: Thursday, February 14, 2002
Time: 9:00 AM or soon thereafter
Place: Manatee County Government
Administrative Center
1112 Manatee Avenue West, 1st Floor Chambers

ORDINANCE 02-24 (f.k.a. Ordinance 01-40)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED): REGARDING WETLAND BUFFERS, EROSION AND SEDIMENTATION CONTROL, AND OTHER ENVIRONMENTAL ISSUES; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

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ORDINANCE 02-18 - ACCESS POINTS TO UNIVERSITY PARKWAY

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2/1/02

BRADENTON HERALD

affidavit _____ bill _____

BRADENTON HERALD

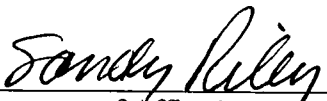
www.bradenton.com
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/748-0411 ext. 7065

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

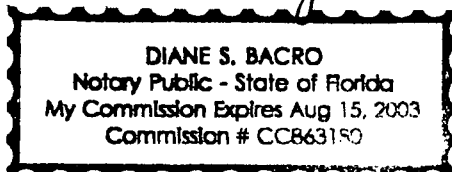
Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter OF NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY in the Court, was published in said newspaper in the issues of 12/31/01.


Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



(Signature of Affiant)

Sworn to and subscribed before me this
2nd Day of January, 2002





SEAL & Notary Public
Personally Known OR Produced Identification _____
Type of Identification Produced _____

RECEIVED
JAN 23 2002
BOARD RECORDS

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended), with the intent to make recommendations to the Board of County Commissioners on:

Date: Thursday, January 10, 2002
Time: 9:00 AM or soon thereafter
Place: Manatee County Government
Administrative Center
1112 Manatee Avenue West, 1st Floor Chambers

ORDINANCE 01-67

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED): AMENDING ACCESSORY USES, DEFINITIONS, PLOT PLAN STANDARDS, SIGN DEFINITIONS, FIGURE 6-2, OFF STREET PARKING, LANDSCAPING, HISTORIC VISTA PROTECTION, REQUIRED IMPROVEMENTS, ADVERSE IMPACTS, EASEMENTS AND ENTRANCE WAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

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SARASOTA HLD TRIBUNE
PUBLISHED DAILY
SARASOTA, SARASOTA COUNTY, FLORIDA

MANATEE COUNTY GOVERNMENT.

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED MOYA NEVILLE, WHO ON OATH SAYS SHE IS THE ADVERTISING DIRECTOR OF THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY, FLORIDA; AND CIRCULATED IN MANATEE COUNTY DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT, BEING A NOTICE IN THE MATTER OF:

NOTICE OF LAND DEVELOPMENT CODE CHANGES

IN THE COURT, WAS PUBLISHED IN MANATEE EDITION OF SAID NEWSPAPER IN THE ISSUES OF:

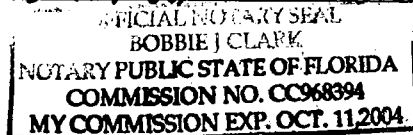
DECEMBER 28, 2001

AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN BRADENTON, IN SAID MANATEE COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION I N THE SAID NEWSPAPER.

SIGNED Moya Neville

SWORN TO AND SUBSCRIBED BEFORE ME THIS 28TH DAY OF DECEMBER A.D., 200 BY MOYA NEVILLE WHO IS PERSONALLY KNOWN TO ME.

(SEAL)



NOTARY PUBLIC

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

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ORD. 02-20

BRADENTON HERALD

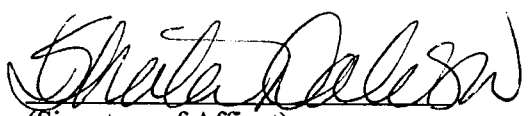
www.bradenton.com
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Bradenton, FL 34206-0921
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941/748-0411 ext. 7065

Bradenton Herald
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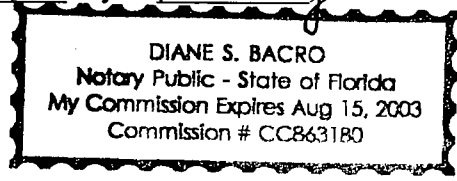
STATE OF FLORIDA
COUNTY OF MANATEE;

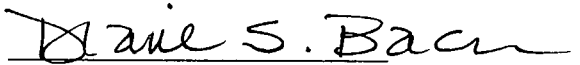
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Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this
7th Day of February 2002





SEAL & Notary Public
Personally Known OR Produced Identification
Type of Identification Produced _____

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2/1/02



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