

AUGUST 11, 1998

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, August 11, 1998, at time 9:08 a.m.

Present were Commissioners:

Patricia M. Glass, Chairman
Gwendolyn Y. Brown, First Vice-Chairman (entered during meeting)
Joe McClash, Second Vice-Chairman
Jonathan Bruce, Third Vice-Chairman
Stan Stephens
Lari Ann Harris
Amy Stein (entered during meeting)

Also present were:

Mark Barnebey, Chief Assistant County Attorney
Susan G. Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

FLORIDA COMMUNITY TRUST GRANTS - RIVERVIEW POINTE AND CORTEZ SCHOOLHOUSE

Ernie Padgett, County Administrator, announced that the Florida Communities Trust (FCT) staff has published the ranking of grant applications. Riverview Pointe (\$1,595,000) and Cortez Schoolhouse (\$349,000) have both placed well on the list of projects eligible for funding. The FCT Committee will meet on August 27, 1998, to review and affirm the rankings.

Maggie Marr, Financial Management Department, and Charles Hunsicker, Planning Department, were recognized for their efforts in assisting the grant application process.

Discussion: Community response enhanced interest in the projects; \$100,000 in private donations raised for Riverview Pointe; \$50,000 in private donations raised for Cortez Schoolhouse; notify public supporters of the ranking, etc.

(Enter Mrs. Stein)

BOY SCOUT CITIZENSHIP/COMMUNITY MERIT BADGE

Scott Hall, working toward a Boy Scout merit badge for Citizenship in the Community, was in attendance and invited to the dais to observe the meeting.

(Enter Ms. Brown)

ORDINANCE 98-18: LAND DEVELOPMENT CODE AMENDMENT

Public hearing (Notice in the Bradenton Herald 8/3/98) was held to consider

ORDINANCE 98-18 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, INCLUDING: (1) ADDING, AMENDING AND DELETING CERTAIN DEFINITIONS; (2) AMENDING CERTAIN STANDARDS RELATING TO THE CODE ENFORCEMENT BOARD; (3) AMENDING CERTAIN YARD DIMENSIONAL REQUIREMENTS; (4) AMENDING CERTAIN TREE PROTECTION STANDARDS; (5) AMENDING CERTAIN LANDSCAPING REQUIREMENTS; (6) AMENDING CERTAIN FLOODPLAIN MANAGEMENT STANDARDS; (7) AMENDING CERTAIN STORMWATER MANAGEMENT STANDARDS; (8) AMENDING CERTAIN WATERSHED PROTECTION STANDARDS; (9) AMENDING CERTAIN IMPACT FEE STANDARDS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
Planning Commission recommended ADOPTION.

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(Continued)

Joaquin Servia, Planning Department, announced that the second public hearing for this Ordinance will be August 25, 1998, at 9:00 a.m., or as soon thereafter as may be heard. He stated these Land Development Code (LDC) amendments are intended to simplify the process.

(Depart Mrs. Stein)

Landscaping Element

Laurie Suess, Planning Department, submitted revised pages 17, 18 and 19. She reviewed text changes incorporated after the July 6, 1998, work session.

Tree Protection Standards Element

Ms. Suess reviewed the text changes for this element.

Discussion: Removal versus preservation of large trees; incentives to preserve; death and replacement of preserved trees; replacement ratio; tree protection section designed to preserve the environment; single-family requirements different than multi-family; planting cycles, etc.

Bob Gause, registered landscape architect, addressed removal and transplantation of large trees. He stated that containerized trees or nursery-grown trees could be transplanted at any time of the year.

(Depart Mrs. Harris and Mr. Stephens)

Yard Dimensional Requirements Element

Ms. Suess reviewed the text revisions for this element

Discussion: Height restrictions for buffers, shrubs and hedges; palm trees; synthetic/artificial lawns or plants; definition of caliper; upland acreage/open space; side yard setbacks on small lots, etc.

(Enter Mrs. Harris and Mr. Stephens)

Carol Clarke, Planning Director, recommended the following change:

Section 702.6.6, paragraph 2 - Insert the words within urban core areas, after the words **affordable housing projects**.

Discussion: Protected tree species list; replacement street trees and tree trust fund; Board authority to utilize cash-in-lieu fund, etc.

Mark Barnebey, Chief Assistant County Attorney, recommended the following changes:

Section 714.8.6, third sentence - Insert the words Board of County Commissioners or the after the words **determined by the**
and

Section 714.8.6, fourth sentence - Delete the word "required" after the words **used for**.

Discussion: Whether Board should approve all expenditures from cash-in-lieu fund; limit amount of money Planning Director may authorize; amount of money in fund; scale of impact and utilization plan for the fund; storm events; trees cut down by utilities; trees trimmed on rights-of-way, etc.

(Depart Mr. McClash)

Ed Rathke, Florida Power and Light (FP&L) Company, outlined FP&L's Right Tree, Right Place program designed to alleviate storm-related problems. He requested the opportunity to meet with Ms. Suess before the next hearing.

(Enter Mr. McClash)

John Moody, Swan Moody & Associates, addressed landscaping in rights-of-way and open spaces.

Ms. Suess advised that revisions would be made to address the issue of height for the hedges, shrubs and bushes, before the next hearing. She also noted the following change:

Section 717.3.9 - delete the second paragraph.

Discussion: Installation and maintenance of irrigation systems; natural functions of trees; "butchering" trees, etc.

Ms. Suess recommended the following revisions:

Section 715.7, bullet 4 - Insert the words Understory growth and the at the beginning of the sentence; and of the area after the words natural function.

Discussion: Engineer of Record should certify that landscape was completed in accordance with the Final Site Plan; separate landscape engineer; inspections are done by three people; Engineer of Record not always qualified to certify landscape; Chapter 481 Florida Statutes requires a professional engineer to prepare a Final Site Plan; landscape requirement only applies to Final Site Plans, etc.

After discussion, it was decided that a definition for landscape professional be included for the next hearing (8/25/98).

Recess/Reconvene. All present except Mrs. Stein and Mrs. Harris.

Stormwater Management Element

Sia Mollanazar, Transportation Department, outlined the revisions for this element and stated that this element is now governed under **Chapter 62** of the Florida Administrative Code (FAC).

Floodplain Management Standards Element

Mr. Mollanazar reviewed the revisions to this element, which are also governed under **Chapter 62** of the FAC.

Watershed Protection Standards Element

Mr. Mollanazar outlined the revisions to this element and pointed out that **Chapter 62** of the FAC also applies to this element.

(Enter Mrs. Harris)

Discussion: Flood-prone areas not identified on maps; Land Information System maps; flood plain maps; culverts, ditches and swales; pipe participation program; filling ditches with sod; stormwater requirements not different for affordable housing, etc.

(Depart Mrs. Harris and Mr. Stephens)

After discussion, the following was changed:

Section 702.9.1, Alternative B - Insert the word, County before the words Stormwater Engineer.

(Enter Ms. Harris and Mr. Stephens)

Mr. Moody expressed concern regarding the removal of trees in parking lots to maintain visibility. He requested allowing thirty percent of the required canopy trees to be smaller understory trees. He also requested that vinyl-clad chain link fences be allowed in conjunction with landscaping, and foundation landscape be allowed within 10-15 feet of buildings. He also recommended that street trees be alternated with palm trees.

Mr. Moody also stated that the LDC is inconsistent regarding the use of palm trees in **Section 715.4 A** and, **Section 715.3.4**.

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(Continued)

After discussion, the following revision was also made:

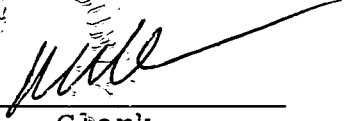
Section 715.3.3, line 1 - Delete "within five (5) feet of the building"; Insert the words contiguous to the building.

Discussion: Conceptual landscaping for roadways; consistency within the LDC; irrigation requirements; cost ratio under revised LDC; tax increase; deletion of private facility credit; concurrency; public access to private facilities, etc.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:



Clerk

APPROVED:



Chairman 10/6/98

Adj. 11:17 a.m.
/pat

