

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATION CENTER, HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
October 21, 2021**

Meeting video link: <https://www.youtube.com/channel/UCUlgjuGhS-qV966RU2Z7AtA>

Present were:

Vanessa Baugh, Chairman
George Kruse, First Vice-Chairman
Kevin Van Ostenbridge, Second Vice-Chairman
Reggie Bellamy, Third Vice-Chairman
James A. Satcher III
Misty Servia
Carol Whitmore

Also present were:

Dr. Scott L. Hopes, County Administrator
Sarah Schenk, Chief Assistant County Attorney
Quantana Acevedo, Deputy Clerk, Clerk of the Circuit Court

Chairman Baugh called the meeting to order at 1:30 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was delivered by Commissioner Satcher, followed by the Pledge of Allegiance.

AGENDA

Agenda Update Memorandum

BC20211021DOC001

BC20211021DOC002

- Item 1, Comprehensive Plan Amendment PA-21-04/Ordinance 21-29, Transportation Element Text Amendment and Map Series Update – Public comment correspondence presented
- Item 2, Comprehensive Plan Map Amendment PA-21-03/Ordinance 21-27, Coastal High Hazard Overlay District – Revised Ordinance in strikethrough/underline format presented

CITIZEN COMMENTS (Future Agenda Items)

There being no citizen comments, Chairman Baugh closed citizen comments.

ADVERTISED PUBLIC HEARING (Presentation Scheduled)

1. **ORDINANCE/COMPREHENSIVE PLAN**

A duly advertised public hearing was held to consider transmittal of proposed Comprehensive Plan Text Amendment and Map Series Update PA-21-04/Ordinance 21-29, Transportation Element (County-Initiated). The Planning Commission recommended transmittal (9/9/21).

Clarke Davis, Deputy Director of Traffic Management, utilized a slide presentation to review the purpose, Traffic Circulation Plan, thoroughfare road examples, proposed amendment details, Map 5-A (Existing Roadways Functional Classification), Map 5-B (2045 Future Traffic Circulation Functional Classification), notable changes, community and stakeholder input, Map 5-C (2045 Future Traffic Circulation Right-of-Way Protection and Reservation), Group 1 – I-75 Corridor, Group 2 Fort Hamer and Sawgrass Roads, Group 3 – North East County, Group 4 – Lakewood Ranch, Group 5 – SW County/Lake Flores, Bradenton-Palmetto Connector Study Area, Fort Hamer Road North Extension, Tara Boulevard, Mulholland Road facts, and hearing schedule.



Discussion took place on the evolution of Tara Boulevard, and leaving a segment of Tara Boulevard as thoroughfare.

Mr. Davis explained it does not matter what label is placed on Tara Boulevard because in some


fashion it would continue to act like a collector road and distribute traffic to and from neighborhood streets and businesses and connect between Linger Lodge Road and S.R. 70. Tara Boulevard is not in danger of having new pressures, and keeping it in the traffic circulation plan opens it up to funding options for improvement purposes. The County uses three, main funding options: fuel taxes, infrastructure surtax funds, and impact fees. Infrastructure surtax funds are not limited to thoroughfares and can be spent on local roads by amending the Plan, and impact fees can only be spent on designated thoroughfares and things related to new growth. For federal funding, major road improvements would be sealed off because Tara Boulevard would no longer be eligible for the broadest category of Surface Transportation Program funds, but it would still be eligible for transportation enhancements or alternatives (sidewalk and pedestrian improvements).

Discussion continued on additional roads for the Lake Flores development, details regarding the Mulholland Road Bridge, traffic counts from Lake Lincoln and the collection of traffic data, whether sidewalks are still needed in the Tara area, and use of the land set aside for Tara Boulevard.

Mr. Davis stated the Lake Flores development ranges from 86th Street West to 51st Street West. The heart of the development is between 86th Street West and 75th Street West, which does not have an east-west collector road crossing between them. Staff added north-south roads and a connection to 53rd Avenue West, which are connectors consistent with the approved General Development Plan.


With regard to the Mulholland Road Bridge, Mr. Davis explained there is a gap over Gamble Creek, as Mulholland Road comes from Fort Hamer Road and extends east toward Gamble Creek. There are concrete piers with a slab on it, but it is not an engineered bridge nor designed for traffic.


Public Comment


 Cathy Woolley, Tara resident, thanked everyone for removing Tara Bridge from the traffic circulation plan and for the traffic speed tables at the south end of Tara Boulevard. She requested Tara Boulevard be removed as a collector road in the traffic circulation plan (maps were displayed).


Kimberly Renault, Twin Rivers resident, remarked that residents in Twin Rivers enjoy their large lots, vast conservation areas and wildlife. Extending Mulholland Road over Gamble Creek (west extension) would destroy the large natural habitat and cost taxpayers to construct a bridge. Golf Course Road and Upper Manatee River Road exists as connectors between Fort Hamer Road and Rye Road and are proposed to be four-laned when necessary. She suggested Mulholland Road be removed from the traffic circulation plan as a future collector, from Gamble Creek east to Rye Road, removal of future plans to connect Mulholland Road via a bridge over Gamble Creek, and that Mulholland Road be designated as a local road only.


William Heath, Twin Rivers resident, opposed the extension of Mulholland Road due to concern with the safety of students waiting at the bus stop at the intersection of Twin Rivers Trail and Mulholland Road, the proximity of homes to Mulholland Road (east of Twin Rivers Trail), and the protection of bird species (photographs displayed).


 Justin Bash, Twin Rivers resident, asked that the County Commission make a motion to remove Mulholland Road at Gamble Creek and east to Rye Road from the functional classification map and classify the same segment as a local road.

 Bob Phelan, Twin Rivers resident, spoke in favor of Mulholland Road being a two-lane collector road. Twin Rivers Trail and 162nd Avenue East are the only access points for the Twin Rivers development and they exit onto Golf Course Road. He supported the connection of Mulholland Road, from Twin Rivers Trail to Fort Hamer Road, in order to alleviate traffic patterns in the Twin Rivers development since they are often traffic delays onto Golf Course Road and Fort Hamer Road. He collected data on Twin Rivers Trail for the last five days and traffic averages more than five vehicles per minute during rush hour and two hundred vehicles per day between 7:30 a.m. and 10:00 a.m., that exit from Twin Rivers Trail on Golf Course Road. He questioned how Emergency Medical Services and Fire Safety are supposed to serve the development with only two access points and increasing growth in the area.


 Franka Posso, Twin Rivers resident, stated that another access point outside of Golf Course Road is needed in the area due to increasing growth. She supported the extension of Mulholland Road from Twin Rivers Trail to Fort Hamer Road.


 Laura Crosley, Southern Oaks resident, disagreed that there are two access points for the Twin Rivers development since some residents speed through her neighborhood using 29th Court East to gain access to Rye Road. She supported the extension of Mulholland Road.


 Danelle Cubria, Twin Rivers resident, used a slide presentation to discuss the removal of Mulholland Road from the traffic circulation plan as a collector road, and to review Map 5-B, online petition support, aerial of Mulholland Road from the County's Geographical Information System, traffic and roadway improvements, noise and landscape standards, crime, and privacy.

 Patrick Bastien, Twin Rivers resident, confirmed that traffic using 29th Street Court East is increasing, which means there are three access points for the Twin Rivers development. He supported the extension of Mulholland Road to Rye Road (east extension).

There being no further public comment, Chairman Baugh closed public comment.

 There was discussion on the necessity of the Fort Hamer Road North Extension, Tara Boulevard could be removed from the traffic circulation plan, Mulholland Road west extension should be deleted, is there a need for Mulholland Road extension, whether the Notice to Buyers for the Twin Rivers development referenced a planned thoroughfare, Lena Road is a collector road on both S.R. 64 and S.R. 70, how long has Mulholland Road been in the thoroughfare plan (aka traffic circulation plan), and more information is needed to make a decision on Mulholland Road.

 Mr. Davis stated Mulholland Road does not show up on the Metropolitan Planning Organization's (MPO) Long Range Transportation Plan, because it does not identify all future needs and it is more about emerging needs. The MPO's plan tends to be a subset of the traffic circulation plan, does not include all of the roads, and focuses on regional roads. The County has acquired right-of-way from Twin Rivers, Phase IV, in order to extend Mulholland Road east to Rye Road. Mulholland Road was intended to be a collector road, was set up and platted that way, and subsequently, added as a collector road to the traffic circulation plan. The recorded plats for Twin Rivers, Phases III and IV, reflect shared driveways where the lots directly load to Mulholland Road.


 Chad Butzow, Public Works Director, confirmed that 100 percent of the right-of-way has been acquired in the area where homes have already been built. He reported on the following

roads: (a) Mulholland Road is planned to be a two-lane thoroughfare road, Golf Course Road is proposed to be a four-lane road only up to Gamble Creek and two lanes east of Gamble Creek, Upper Manatee River Road is proposed as a two-lane thoroughfare (the north-south section is in the Capital Improvement Plan (CIP) for four lanes at \$27 million and the east-west section are in the CIP to replace the bridges for Mill Creek and Gates Creek), Rye Road and C.R. 675 are planned to be future larger roads, and there are no current plans that propose to four lane these roads.


Upon question, Mr. Butzow utilized Google Maps to point out the existing and non-existing portions of Mulholland Road and associated right-of-way.

Discussion continued on what happens to traffic if Mulholland Road is not extended, and briefings between now and December 2, 2021.

Motion - Transmittal

 Based upon the evidence presented, comments made at the public hearing, the technical support documents, and finding the request to be consistent with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, Commissioner Kruse moved to approve transmittal of Comprehensive Plan Amendment PA-21-04/Ordinance 21-29, as recommended by the Planning Commission, with the removal of Tara Boulevard in its entirety and removal of the western connection of Mulholland Road. The motion was seconded by Chairman Baugh.


Chairman Baugh agreed on Mulholland Road being removed completely, because more information is needed.

 Commissioner Van Ostenbridge inquired if there was a timeline for designing and acquiring the remaining right-of-way for Mulholland Road.

Mr. Butzow noted that Mulholland Road is not in the CIP.

Commissioner Servia agreed with Tara Boulevard being removed, but not Mulholland Road due to growth concerns for the area.

Motion - Amended

 Commissioner Servia amended the motion to transmit with the removal of Tara Boulevard in its entirety only (striking removal of the western connection of Mulholland Road). The amendment was seconded by Commissioner Van Ostenbridge.

The Clerk restated the amendment to the motion.

The amendment to the motion failed 3 to 4, with Commissioners Baugh, Bellamy, Kruse, and Satcher voting nay.

Mr. Butzow inquired if the motion was for the portion of Mulholland Road not yet constructed (eastern portion) or everything west of Twin Rivers Trail (missing link). Commissioners confirmed everything west of Twin Rivers Trail.

Commissioner Satcher remarked on the proposed park at Fort Hamer Road and growth in the area (near Rye Road).

Chairman Baugh emphasized that residents and the County Commission can work together to find solutions.

Commissioner Satcher pointed out that in the future, developers need to abide by the requirements of the Land Development Code (LDC) since their actions ultimately affect future homeowners.


The motion carried 6-1, with Commissioner Servia voting nay.

Commissioner Bellamy expressed concern with implementing traffic calming measures since the speeders often live in the areas with increased speed and traffic. BC20211021DOC003


RECESS/RECONVENE: 3:25 p.m. – 3:36 p.m. All Commissioners were present.

ADVERTISED PUBLIC HEARING (Presentation Upon Request)

2. **ORDINANCE/COMPREHENSIVE PLAN**

 A duly advertised public hearing was held to consider adoption of proposed Comprehensive Plan Map Amendment PA-21-03/Ordinance 21-27, Coastal High Hazard Overlay District. The Planning Commission recommended transmittal on July 8, 2021, and the County Commission recommended transmittal on August 5, 2021.

Nicole Knapp, Impact Fee Administrator, stated the transmittal did not receive any objections from reviewing agencies. She requested adoption of the proposed ordinance.

 Based upon the evidence presented and comments made at the public hearing, upon the technical support documents, and finding the request to be in compliance with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes, and consistent with the Manatee County Comprehensive Plan, Commissioner Servia moved to adopt Manatee County Comprehensive Plan Amendment PA-21-03/Ordinance 21-27. The motion was seconded by Commissioner Kruse.


Sarah Schenk, Chief Assistant County Attorney, noted this map amendment is required to be adopted under the Community Planning Act.


There being no public comment, Chairman Baugh closed public comment.


The motion carried 7-0. BC20211021DOC004

ADVERTISED PUBLIC HEARING (Presentation Scheduled)

3. **ORDINANCE/LAND DEVELOPMENT CODE**

 A duly advertised public hearing was held to consider adoption of proposed Land Development Code Text Amendment LDCT-21-01/Ordinance 21-19, Impact Fees (County-Initiated). The Planning Commission recommended adoption (9/9/21).

 Nicole Knapp, Impact Fee Administrator, used a slide presentation to review the request, what the request does not include, Chapter 2 – Definitions, Chapter 11 – Impact Fees, Sections 1102.7, 1102.2, 1106.2, 1107.3, and 1108.6. Staff finds the request consistent with the Comprehensive Plan and the LDC.

 Commissioner Kruse asked if the word unoccupied being stricken from LDC Section 1102.2.C. means impact fees are not going to be charged on accessory dwelling units (ADUs).

Ms. Knapp noted accessory structures as written in LDC Section 1102.2.C. with the word unoccupied stricken could be a garage or an accessory dwelling unit. While waiting on the impact fee study to be completed and the lack of definitive data from the 2015 impact fee study and the LDC, impact fees should be not be assessed for ADUs. Staff is waiting on a formal recommendation from the County's consultant, and impact fees for ADUs have been placed on hold.

Commissioner Kruse suggested changing the word may to shall in LDC Section 1108.6, Affordable Housing to provide certainty: Manatee County ~~may~~ shall pay from legally available funds any Impact or Facilities Investment Fees charged against any Impact-Generating Land Development that has entered into a Land Use Restriction Agreement ensuring that the Impact-Generating Land Development meets those standards established by Manatee County for an affordable housing project.

Ms. Knapp explained this is the first step, and Florida Statutes include the word "may." When staff comes back to the County Commission to implement restrictions and procedures, the word "may" can be changed to "shall."



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 in accordance with Section 341 of the LDC, Commissioner Servia moved to adopt Manatee County Ordinance 21-19, LDCT-21-01, amending the Manatee County LDC, as amended, and as recommended by the Planning Commission. The motion was seconded by Commissioner Bellamy.

There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.

Chairman Baugh asked if the County Commission had the ability to state no impact fees on ADUs.

Ms. Knapp noted the current fee schedule does not address ADUs, tiny homes, or break down units under 1,000 square feet. Staff is waiting on a recommendation from the consultant, which would break down uses.



Sarah Schenk, Chief Assistant County Attorney, reported the impact fee study is a procedural requirement of Florida Statutes.

Chairman Baugh stated the New Pearce development cannot have ADUs due to the area being within an industrial future land use category.

Commissioner Servia reported she has a meeting with Glen Gibellina, and she would discuss this with him.

Upon question, Ms. Knapp noted if a building permit application has been submitted to the County during this waiting period, their application would fall under the current rules as they apply today, which is no impact fees.

Dr. Scott L. Hopes, County Administrator, stated in updating the impact fee analysis, staff can ensure that the consultant incorporates into the analysis the direction the County Commission would like to take on ADUs and the waiver of impact fees.

Commissioner Servia supported the County Commission's quest to have more affordable housing, but affordable housing occupants do have impacts. She suggested a certain amount of money be dedicated to pay impact fees for affordable housing in order to keep the general population from footing the bill. BC20211021DOC005

COMMISSIONERS' COMMENTS


Commissioner Whitmore

- Stated it has come to her attention that the County is hiring a Public Relations (PR) Firm from Tallahassee, Florida. She pointed out that this was not discussed, it is not in their budget, and she would not support hiring a PR firm.


Discussion ensued on the necessity of hiring a PR Firm to develop a crisis management plan and consistent messaging of the great things happening in the County, Commissioner Van Ostenbridge preferred Communications Consultant versus a PR Firm, the County cannot rely on the press, the County cannot go to the next level without a PR Firm, each Commissioner is responsible for creating their own image, and Dr. Scott L. Hopes, County Administrator, is featured in the October–November 2021, NEXTGEN family magazine. BC20211021DOC006

Commissioner Whitmore inquired about the position of the person who would be responsible for the County, the cost of hiring of this person and a temporary or long-term contract. She noted this was not a policy decision by the County Commission, and not all of the Commissioners were told about it.


Dr. Hopes reported the PR Firm made themselves available on October 20, 2020, and this is an exploratory process among a number of things he has been working on and discovering. The County has a decentralized communication system, and it is a big job to look at where the County needs to improve and how it should be improved. There should be consistent and uniformed messaging, and the County Commission should be fully informed. He noted no decisions have been made, and he is engaging each Commissioner to be part of the process before any recommendations are presented.

-  Visited Trailer Estates Mobile Home Park for a panel on Elder Abuse, and she would like to hold a panel at Colony Cove

Commissioner Bellamy

-  Announced the Manatee High School Athletic Hall of Honor Banquet was taking place that evening

Commissioner Servia

-  Reported she was unable to attend the Port Authority meeting, because she attended a press conference at Sarasota–Bradenton International Airport to welcome Avelo Airlines, which offers a direct flight to New Haven, Connecticut; she also attended the Destination Zero Leadership meeting
- Noted the Affordable Housing Advisory Committee met on October 18, 2021, and the required changes to the LDC to meet Florida Statute requirements for affordable housing were adopted
- Acknowledged the Tourist Development Council meeting met on October 18, 2021, and how the Sarasota–Bradenton International Airport is debt free and the fastest growing airport in the world

Commissioner Kruse asked about airport parking. Commissioner Servia reported there are plans to build more parking and consolidate the rental car businesses to a garage

Commissioner Satcher

- Stated Port Manatee is open for business

Chairman Baugh

- Reported surveys are being conducted in Country Club East and the Country Club about increasing the speed limit on Lorraine Road, which would be addressed on a future agenda
- Spoke to members from the Affordable Housing Advisory Committee regarding the actions of one of its members, and the Chairman of the Committee has decided to work with the citizen on communication efforts. She expressed concern that the residents in the New Pearce development cannot build ADUs due to the future land use designation. Discussion ensued.
- Reported the script for her district video is amazing

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 4:41 p.m.

Minutes Approved: September 13, 2022