Present were:
Priscilla Whisenant Trace, Chairman
Robin DiSabatino, First Vice-Chairman (entered during work session)
Carol Whitmore, Second Vice-Chairman
Charles B. Smith, Third Vice-Chairman
Betsy Benac
Vanessa Baugh
Stephen R. Jonsson

Also present were:
Ed Hunzeker, County Administrator
Mitchell O. Palmer, County Attorney
Quantana Acevedo, Deputy Clerk, Clerk of the Circuit Court

Chairman Trace called the work session to order at 3:00 p.m.

AGENDA

REPORTS

John Barnott, Building and Development Services Director, reviewed agenda changes:
- Item 1, Interlocal Service Boundary Agreement Act – Deleted from the agenda
- Item 2, LDCT-18-02/Ordinance 18-20, Land Development Code Text Amendment, Signs – To be heard after Item 3 if time permits or rescheduled to April 17, 2018
- Item 3, Comprehensive Plan and Land Development Code – To be heard first
- Item 4, Problem Addresses – Rescheduled to April 17, 2018

COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE – AMENDMENTS

Lisa Barrett, Planning Manager, highlighted the amendment process for the Comprehensive Plan and the Land Development Code (LDC) since 2016 as outlined in the background discussion on the agenda memorandum.

(Enter Commissioner DiSabatino during the presentation)

Pat Tyjeski, S&ME Consultants, stated at the public workshop (1/17/18) concerns were identified about the amendment process and handouts were created to address these concerns. She reviewed the following:
- Table 5, Future Land Use Categories and Zoning, which is Information from the Comprehensive Plan pertaining to the different land use categories
  - Densities and Intensities that were identified as not working in the Comprehensive Plan
    - ROR (Retail/Office/Residential), MU (Mixed–Use), and IH (Industrial–Heavy)
    - Affordable Housing
    - Commercial Locational Criteria
- Table 4, Proposed Activity Nodes, which is the organization of the Commercial Locational Criteria
MX District was created under MU to accommodate large types of development
• Table 1, Special Approval as required by the Manatee County Comprehensive Plan (LDC Table 3-4) and Proposed Changes, includes every provision pertaining to special approvals within the LDC and Comprehensive Plan. Instances where there are regulations were reviewed and instances that should go before the Board or the Hearing Officer. The following items were highlighted:
  o Item L, Page 3, SP instead of SA
  o Item C, Page 1, SP instead of SA
  o Item E, Page 2, Delete requirement
  o Item F, Page 2, Delete requirement for SA if located in the CHHA (Coastal High Hazard Area)
  o Item R, Page 4, Delete requirement
  o Item S, Page 4, AP or SP (depending on the district) instead of SA
  o Item T, Page 4, See S
  o Item U, Page 5, Delete requirement
  o Item AA, Page 6, SP instead of PD (Planned Development) and SA
  o Item EE, Page 7, Eliminate requirement for SA
  o Policy 2.2.1.22.4, Page 9, SP instead of SA
  o Policy 2.2.2.4.4, Page 9, AP instead of SA
(SP denotes Special Permit, SA denotes Special Approval, and AP denotes Administrative Process)

Discussion took place about future land use designation for District One, the County has an impact on development just as much as developers do, past intent of strip commercial, may be easier to throw out and start over with the Comprehensive Plan and LDC, special permit (hearing officer, what is the intent for the category of commercial use table on page 7 (Table 5), who has staff met with in regards to the amendments (work sessions, Planning Task Force meetings, public workshop and link on mymanatee.org), Standards for Review and Approval (LDC Section 316.6 displayed, page 3 – 25), a hearing officer cannot grant specific approvals to any LDC requirements, how much longer is this amendment process, clarification on Item E (Table 1, page 2)

Sarah Schenk, Assistant County Attorney, pointed out the Board is not regulating the operation of the use (only the future land use classification), and once case goes before the Hearing Officer the stipulations are enacted.

Ms. Barrett reported Comprehensive Plan amendments must be brought forward prior to LDC amendments and certain provisions that do not belong within the Comprehensive Plan need to be moved to the LDC. Staff has scheduled a work session on April 12, 2018, to provide a similar update to the Planning Commission. Staff’s goal is to have LDC amendments finalized by the end of the year.

Sarah Schenk, Assistant County Attorney, explained the denial of special approvals is not legally defensible, and it must be removed from the Comprehensive Plan and Land Development Code.

RECESS/RECONVENE: 4:02 p.m. – 4:08 p.m. All Commissioners were present except Commissioner Benac.

Ms. Barrett stated the Comprehensive Plan and Land Development Code in their current state are convoluted and confusing, and staff is working to clarify the existing language. She
explained for Item E (Table 1, page 2) deleting the requirement means deleting the term “special approval”.

(Enter Commissioner Benac)

Commissioner DiSabatino expressed concern with confusing nature of the language.

Ms. Barrett made clear that the removal of the term “special approval” does not mean that cases will not come before the Board for public hearings.

Discussion proceeded about staff providing an executive summary on how the amendments will improve the process at the next work session, would like to make sure those who use the Comprehensive Plan and LDC have an opportunity to give feedback during the amendment process, the regulation of zoning should be accomplished through the LDC, how many hearing officers does the County utilize presently (6-7), density bonus for affordable housing is being proposed by staff, are language comparisons being made with surrounding areas and/or communities, staff should brief Commissioners, clarification of Item DD (Table 1, page 6), can staff prepare a “cheat” sheet on the types of cases that are heard by the Board, urban corridors (Ordinance 16-06), the amendment process has been done in phases, and intensity and density changes would apply countywide.

Public Comment

Edward Pinto, developer, stated his company would like invest in Manatee and Sarasota counties by building housing.

Al Horrigan expressed concern with the lack of clarity on what was presented.

Geri Lopez, Redevelopment and Economic Opportunity Director, stated developers are interested in developing projects but are unable to do so due to the current language in the Comprehensive Plan and LDC. She has been working with staff on correcting the language challenges.

Dave Gustafson, DG Land Development Consulting, commented on urban corridors and commercial locational criteria.

There being no supplementary public comment, Chairman Trace closed public comment.

There was discussion about staff looking at Mr. Pinto’s suggestion, multifamily in the general commercial category, the County should be open to creative ideas, Sarasota County has started implementing less parking spaces for smaller units, and previewing projects prior to public hearings due to Sunshine Law.

(Depart Commissioner Jonsson)

Mr. Barnott confirmed Item 2, Land Development Code Text Amendment – Signs, will not be heard today.

ADJOURN

There being no further business, Chairman Trace adjourned the work session at 5:05 p.m.

Minutes Approved: ________________