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Bradenton Area Convention Center
One Haben Boulevard, Palmetto
9:00 am - September 3, 2020

September 3, 2020 Land Use Meeting

BOARD OF COUNTY COMMISSIONERS

AGENDA
and
NOTICE OF PUBLIC MEETING

MEETING CALLED TO ORDER (Betsy Benac, Chairman)

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

- 1. [Joan Irwin, Baha'i Faith of Manatee County](#)

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

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

A. AWARDS/PRESENTATIONS/PROCLAMATIONS

CITIZENS COMMENTS (Consideration For Future Agenda Items - 30-Minute Time Limit)

Each person will be limited to three (3) minutes. If the thirty (30) minute time period has been exhausted, the Board will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.

- 2. [Citizen Comments](#)

CITIZEN COMMENTS (Consent Agenda Items Only)

Each person wishing to speak on Consent Agenda items will be limited to three (3) minutes per item; provided, however, that each person will be limited to speaking for a total of ten (10) minutes regardless of the number of items being discussed.

3. [Citizen Comments \(Consent Agenda Items Only\)](#)

B. CONSENT AGENDA

Property Management

4. [Execution of Subordination of County Utility Interests to the Florida Department of Transportation \(FDOT\) for Parcel 126.2 \(also known as Parcel 126\)/FDOT Financial Project 433592-1-52-01 \(FPID 4335921\) located along the SR 45 \(US 41\) Pedestrian Corridor](#) * D'Agostino

Attachment: [Subordination Agreement P.126.2.pdf](#)

Attachment: [P.126.2 Utility Easement.pdf](#)

Attachment: [13010-000 4335921 - ROW Map.pdf](#)

Attachment: [Final Response Memo to CAO Matter No. 2019-0390-reissued.pdf](#)

Attachment: [FDOT Parcel 126 Location Map.pdf](#)

5. [Subordination of Utility and Right-of Way Interests to the State of Florida Department of Transportation \(FDOT\) for Parcel 171.2/171.3/FDOT Financial Project No. 433592-1-52-01 \(FPID 4335921\) located along the SR 45 \(US 41\) Pedestrian Corridor](#) * D'Agostino

Attachment: [Subordination Agreement P.171.2.pdf](#)

Attachment: [Subordination Agreement P.171.3.pdf](#)

Attachment: [Right of Way Easement P.171.pdf](#)

Attachment: [13010-000 4335921 - ROW Map.pdf](#)

Attachment: [Final Response Memo to CAO Matter No. 2019-0390-reissued.pdf](#)

Attachment: [FDOT Parcel 171 Location Map.pdf](#)

6. [Execution of Subordination of County Utility Interests to the Florida Department of Transportation \(FDOT\) for Parcel 145.3 \(also known as Parcel 145\)/FDOT Financial Project 433592-1-52-01 \(FPID 4335921\) located along the SR 45 \(US 41\) Pedestrian Corridor](#) * D'Agostino

Attachment: [Subordination Agreement P.145.3.pdf](#)

Attachment: [Utility Easement \(Burriss\)- p.145.3.pdf](#)

Attachment: [Utility Easement \(Hamlet\) - p.145.3.pdf](#)

Attachment: [Agreement for Conveyance of Easement \(Burriss\) - p.145.3.pdf](#)

Attachment: [Utility Easement \(Reasoner\) - p.145.3.pdf](#)

Attachment: [Final Response Memo to CAO Matter No. 2019-0390-reissued.pdf](#)

Attachment: [13010-000 4335921 - ROW Map.pdf](#)

Attachment: [FDOT Parcel 145 Location Map.pdf](#)

7. [Execution of Subordination of County Utility Interests to the Florida Department of Transportation \(FDOT\) for Parcel 135.3 \(also known as Parcel 135\)/FDOT Financial Project 433592-1-52-01 \(FPID 4335921\) located along the SR 45 \(US 41\) Pedestrian](#)

Corridor * D'Agostino

Attachment: [Subordination Agreement P.135.3.pdf](#)
Attachment: [Utility Easement P.135.3.pdf](#)
Attachment: [Final Response Memo to CAO Matter No. 2019-0390-reissued.pdf](#)
Attachment: [13010-000 4335921 - ROW Map.pdf](#)
Attachment: [FDOT Parcel 135 Location Map.pdf](#)

8. [Execution of Subordination of County Utility Interests to the Florida Department of Transportation \(FDOT\) for Parcel 142.3 \(also known as Parcel 142\)/FDOT Financial Project 433592-1-52-01 \(FPID 4335921\) located along the SR 45 \(US 41\) Pedestrian Corridor](#) * D'Agostino

Attachment: [Subordination Agreement P.142.3.pdf](#)
Attachment: [Utility Easement \(Smith\) P.142.3.pdf](#)
Attachment: [Utility Easement \(Hudson\) P.142.3.pdf](#)
Attachment: [Utility Easement \(Reasoner\) P.142.3.pdf](#)
Attachment: [13010-000 4335921 - ROW Map.pdf](#)
Attachment: [Final Response Memo to CAO Matter No. 2019-0390-reissued.pdf](#)
Attachment: [FDOT Parcel 142 Location Map.pdf](#)

9. [Execution of Subordination of County Utility Interests to the Florida Department of Transportation \(FDOT\) for Parcel 143.2 \(also known as Parcel 143\)/FDOT Financial Project 433592-1-52-01 \(FPID 4335921\) located along the SR 45 \(US 41\) Pedestrian Corridor](#) * D'Agostino

Attachment: [Subordination Agreement P.143.2.pdf](#)
Attachment: [Agreement for Conveyance of Easement P.143.2.pdf](#)
Attachment: [13010-000 4335921 - ROW Map.pdf](#)
Attachment: [Final Response Memo to CAO Matter No. 2019-0390-reissued.pdf](#)
Attachment: [FDOT Parcel 143 Location Map.pdf](#)

10. [Execution of Subordination of County Utility Interests to the Florida Department of Transportation \(FDOT\) for Parcel 164.3 \(also known as Parcel 164\)/FDOT Financial Project 433592-1-52-01 \(FPID 4335921\) located along the SR 45 \(US 41\) Pedestrian Corridor](#) * D'Agostino

Attachment: [Subordination Agreement P.164.3.pdf](#)
Attachment: [Utility Easement \(Keith\) P.164.3.pdf](#)
Attachment: [Utility Easement \(Michaelis\) P.164.3.pdf](#)
Attachment: [Utility Easement \(Michaelis 2\) P.164.3.pdf](#)
Attachment: [Conveyance and Assignment of Easements and Contracts \(Suncoast\) P.164.3.pdf](#)
Attachment: [Easement \(Pic-Town Waterworks, Inc.\) P.164.3.pdf](#)
Attachment: [Pic-Town Waterworks, Inc. Name Change Verification \(DOS Page\).pdf](#)

Attachment: [Utility Easement \(Sherman\) P.164.3.pdf](#)
Attachment: [13010-000 4335921 - ROW Map.pdf](#)
Attachment: [Final Response Memo to CAO Matter No. 2019-0390-reissued.pdf](#)
Attachment: [FDOT Parcel 164 Location Map.pdf](#)

APPROVAL OF CONSENT AGENDA

11. [Approval of Consent Agenda](#)

C. ADVISORY BOARD APPOINTMENTS

D. ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

Building and Development Services

12. [Property Maintenance Standards - Proposed Changes](#) * Morris

Attachment: [Memo Property Maintenance Ordinance.pdf](#)
Attachment: [Property Maintenance Code Final Draft 2020 Ordinance # 20-041.pdf](#)
Attachment: [Property Maintenance Standards PowerPoint 9-3-2020.pdf](#)

13. [LDCT-20-02/Ordinance 20-12 Land Development Code Text Amendments/Floodplain Management - Legislative - William O'Shea, Principal Planner](#) * Clague

Attachment: [Staff Report rev. 3 - Floodplain Management - Ord. 20-12.pdf](#)
Attachment: [1 - Newspaper Advertising.pdf](#)
Attachment: [2 - Ordinance 20-12 ver. 3.pdf](#)
Attachment: [3 - Manatee Co SFMO Letter on Flood 3-1-19.pdf](#)

14. [Floodplain Ordinance 20-22 - Legislative - Sandy Tudor, Floodplain Section Manager](#) * Clague

Attachment: [Staff Report rev. 2 - Floodplain Management - Ord. 20-22.pdf](#)
Attachment: [1 - Newspaper Advertising.pdf](#)
Attachment: [2 - Ordinance 20-22.pdf](#)
Attachment: [3 - Letter from State Floodplain Manager.pdf](#)
Attachment: [4 - County Attorney's Office opinion.pdf](#)

Public Works

15. [LDA-18-02 - Local Development Agreement for Haval Farms - PLN1810-0101 - Quasi Judicial](#) * Clague

Attachment: [Staff Report Maps.pdf](#)
Attachment: [Haval Farms LDA - Final \(082620\)rev.pdf](#)
Attachment: [Bradenton Herald.pdf](#)

16. [LDA-13-02\(R3\) - Amended and Restated Local Development Agreement for the Villages of Amazon South PLN1810-0100 - Quasi-Judicial](#) * Clague

Attachment: [Staff Report Maps.pdf](#)

Attachment: [Amazon Amended and Restated LDA - Final \(082720\).pdf](#)

Attachment: [Bradenton Herald.pdf](#)

E. ADVERTISED PUBLIC HEARINGS (Presentation Scheduled)

Building and Development Services

17. [LDCT-20-05/Ordinance 20-33 - Land Development Code Amendment/Conservation Easement - Legislative - William Clague, Chief Assistant County Attorney](#) * Clague

Attachment: [Staff Report - LDC Amendment Conservation Easements LDCT-20-05 - Ordinance 20-33 PLN2005-0057.pdf](#)

Attachment: [1 - Newspaper Advertising.pdf](#)

Attachment: [2 - Ordinance 20-33 LDC Amendment re Conservation Easements v1.pdf](#)

Attachment: [3 - Public Comment Letter.pdf](#)

18. [LDCT-20-06/Ordinance 20-34 - Land Development Code Amendment/Requirements for Enforcement/Appeals/Schedule of Uses - Legislative - William Clague, Chief Assistant County Attorney](#) * Clague

Attachment: [Staff Report LDCT-20-06 - Ordinance 20-34 LDC amendments.pdf](#)

Attachment: [1 - Newspaper Advertising.pdf](#)

Attachment: [2 - LDC Amendment re Braden Woods Decision v2 lkb.pdf](#)

19. [Z-20-04 Mixon Rezone to HC/Mixon Fruit Farms, Inc. \(Owner\)/Graykey, LLC \(fka Hunt Real Estate Services, Inc. \(Contract Purchaser\) PLN2002-0081 - Quasi-Judicial - Jake Bibler, Planner I](#) * Morris

Attachment: [Staff Report - Mixon Rezone to HC Z-20-04 PLN2002-0081.pdf](#)

Attachment: [1 - Staff Report Maps.pdf](#)

Attachment: [2 - Traffic Impact Statement.pdf](#)

Attachment: [3 - School Report.pdf](#)

Attachment: [4 - Zoning Disclosure Affidavit.pdf](#)

Attachment: [5 - Use Chart Comparison A-1 versus HC.pdf](#)

Attachment: [6 - City of Bradenton Communication.pdf](#)

Attachment: [7 - Newspaper Advertising.pdf](#)

Attachment: [8 - Ordinance Z-20-04.pdf](#)

20. [Z-20-02 Norah & Aaron, LLC PLN2002-0010 - Quasi-Judicial - James Rigo, Principal Planner](#) * Schenk

Attachment: [Staff Report Norah and Aaron, LLC Rezone Z-20-02 PLN2002-0010.pdf](#)

- Attachment: [1 - Staff Report Maps.pdf](#)
- Attachment: [2 - School Report .pdf](#)
- Attachment: [3 - Land Use Table for existing and proposed use..pdf](#)
- Attachment: [4 - Traffic Impact Statement and Acceptance Letter.pdf](#)
- Attachment: [5 - Zoning Disclosure Affidavit.pdf](#)
- Attachment: [6 - Concurrency Deferral.pdf](#)
- Attachment: [7 - Newspaper Advertising.pdf](#)
- Attachment: [8 - Ordinance Z-20-02.pdf](#)
- Attachment: [9 - Public Comment.pdf](#)

F. REGULAR

Building and Development Services

21. [LDCT-20-05/Ordinance 20-33 - Land Development Code Text Amendments/Conservation Easement - Request to hold 2nd public hearing prior to 5:00 pm - Legislative - William Clague, Chief Assistant County Attorney](#)
22. [LDCT-20-06/Ordinance 20-34 - Land Development Code Amendment Requirements for Enforcement/Appeals/Schedules of Uses - Request to hold 2nd public hearing prior to 5:00 pm - Legislative - William Clague, Chief Assistant County Attorney](#)

G. REPORTS

COMMISSIONER AGENDA

CITIZEN COMMENTS (Continuation of Consideration for Future Agenda Items, if Needed)

COMMISSIONER COMMENTS

ADJOURN

The Board of County Commissioners of Manatee County, Florida, 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, participation in, employment with, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act ADA, should contact Carmine DeMilio at (941) 792-8784 Ext. 8303 or carmine.demilio@mymanatee.org; FAX 745-3790.

The Board of County Commissioners of Manatee County may elect not to convene, if no business is scheduled; however, reserves the right to take action on any matter during its meeting, including items not set forth within this agenda. The Chair, at his/her option, may take business out of order if he/she determines that such a change in the schedule will expedite the business of the governing body.

All public comment on quasi-judicial agenda items is required to be under oath and must occur at a duly noticed public hearing. The Citizens' Comments portion of the agenda is not an advertised public hearing, and no comments on quasi-judicial agenda items are authorized during the Citizens' Comments portion of the agenda.

PUBLIC NOTICE: According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners (or the other entities that are meeting) with respect to any matter considered at said public hearing/meeting will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

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