

PLANNING AND ZONING BOARD  
**REGULAR MEETING/PUBLIC HEARING**

October 06, 2011, 6:00 P.M.

Hardee County Board of County Commissioners Board Room  
412 W. Orange Street, Courthouse Annex, Room 102, Wauchula, FL 33873

**MINUTES**

**Planning and Zoning Board**

Ralph Arce, excused  
Roger Conley, present  
Anita Keene, excused  
Gordon Norris, present  
Oscar Ortiz, absent  
Charles Parker, present  
Monica Reas, Vice Chairperson, excused  
Mike S. Thompson, Chairperson, present  
Vida Tomlinson, present

**Staff**

Kevin Denny, AICP, Planning/Develop. Director  
present  
Joshua Cheney, AICP, Planner III, present  
BJ Haney, present

No News Media identified

Chairman Thompson called the Regular Meeting to order at 6:00 P.M.; a quorum was present.

Those in attendance pledged allegiance to the American Flag followed by a prayer of guidance for the meeting by Board Member Conley.

The Board was advised Agenda No. 11-04 was CONTINUED from 09/22/11 regular meeting/public hearing to this date, therefore no Public Notice was required although an announcement was published in The Herald-Advocate advising of the Board's 10/06/11 regular meeting/public hearing and advising the Board would discuss Article 01 and Article 02 of the Hardee County Unified Land Development Code for possible recommendations of change.

Chairman read the Planning and Zoning Board's General Rules of Procedure located on Page Three of the Board's Agenda; Notary Public Haney administered Oath to those wishing to offer testimony.

MOTION by Commissioner Tomlinson, second by Board Member Norris to approve Minutes of 01/20/11 Joint meeting with Board of County Commissioners to receive 2010-2011 Annual Report from CF Industries Inc. Motion carried unanimously.

MOTION by Norris, second by Tomlinson to approved Minutes of 09/22/11 Regular Meeting/Public Hearing as printed and mailed. Motion carried unanimously.

**Agenda No. 11-04—CONTINUED FROM 09/22/11**

Board was advised of a request from Hardee County Board of County Commissioners by and through the Authorized Representative requests a recommendation regarding **Ordinance No. 2012-01** (an ordinance: amending Article 3 of the Unified Land Development Code establishing Section 3.23.00—**Recreational Resort in A-1 zoning district in Agriculture Future Land Use District** by Special Exception; and amending Table 2.29.02(B) of the ULDC adding to *Lodging-Recreation/Conservation Recreational Resort in A-1 zoning district in Agriculture Future Land Use District* by Special Exception; and amending Table 2.29.02(C) of the ULDC establishing development and design standards for **Recreational Resort in A-1 zoning district in Agriculture Future Land Use District**; and providing for severability; providing for repeal of conflicting ordinances; and providing for effective date).

Planning/Development Director Denny advised that this is not a quasi judicial hearing; this is a legislative hearing.

Denny entered into the record the Staff Report, and the '10/06/11 revised language' for the Ordinance that was distributed to the Board tonight; no objections presented.

Denny advised that we are trying to establish a campground use in the A-1 (Agriculture), Agriculture Future Land Use District.

Denny highlighted the proposed language for Section 3.23.00 noting this is a recreational opportunity; not for lodging; the use in A-1/Agriculture FLU will be reviewed as a Special Exception.

There was discussion regarding 3.23.01.01(B)(05) specifically incinerators and Board directed for Denny to soften the language that would not require an on-site incinerator. Denny noted that the paragraph will be enlarged to address small campfires and fire pits.

It was noted to add the word 'one' to language in 3.23.01.01(B)(06)a. . . . that is one single-family residence or manufactured home for Recreational Resort owner or operator. Additionally 3.23.01.;01(B)(07)d. was changed to read *any length of stay over six months or any farmworker housing of any length*.

Paragraph numbering in 3.23.01.01(E) will be corrected.

Chairman called for public input; none received.

Board RECESSED, 6:38 P.M.; RECONVENED, 6:45 P.M.

MOTION by Conley, second by Norris to **RECOMMEND APPROVAL** to the Board of County Commissioners of **ORDINANCE No. 2012-01**, an ordinance amending Article 3 of the Unified Land Development Code establishing Section 3.23.00—**Recreational Resort in A-1 zoning district in Agriculture Future Land Use District** by Special Exception; and amending Table 2.29.02(B) of the ULDC adding to *Lodging-Recreation/Conservation Recreational Resort in A-1 zoning district in Agriculture Future Land Use District* by Special Exception; and amending Table 2.29.02(C) of the ULDC establishing development and design standards for **Recreational Resort in A-1 zoning district in Agriculture Future Land Use District**; and providing for severability; providing for repeal of conflicting ordinances; and providing for effective date including the proposed changes (as noted on Page 03 of these Minutes). Motion carried unanimously.

The BoCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, October 20, 2012, 6:05 P.M. or as soon thereafter.

Board began a general review led by Denny of the ULDC. article by article. It was noted that it is not the Board's intention to suggest specific language, but rather general concepts. Staff will prepare specific language at the appropriate time. Editor's Note: nothing in these minutes should be considered as direction by the board regarding detailed language.

Board reviewed Article 01 of the Hardee County Unified Land Development Code (ULDC) and made no recommendations for change.

Board discussed definitions for Permitted (P), Special Exception (S), Major Special Exception (M) and Site Development Plan (D) designations in Table 2.29.02(B)—**Table of Land Uses**.

Board reviewed Article 02 of the Hardee County ULDC and determined to recommend:

- moving Section 2.10.00-Section 2.27.00 to Article 03—Performance Standards.
- adding to the paragraph at the end of Section 2.29.01—*Zoning District Summary Tables* Any use or structure not specifically, provisionally, or by reasonable implication incidental to a use permitted here, or permissible by Special Exception or Major Special Exception shall be prohibited except at the discretion of the Planning and Development Director if the proposed use is close to a permitted use or could be approved by Special Exception;
- adding to Table 2.29.02(A) **LDC Development Districts** the Future Land Use categories of Rural Village, Residential High, Residential Medium, Residential Low, Residential Estate, Commerce Park, Industrial, Mining Overlay and update Table.

- (deleting duplication of Fowl/Poultry including Ostrich/Emu/Rhea, Birds/Bees/Fish/Rabbits, Goats/Sheep/Llamas, Cattle/Ruminants, Reptile, Non-Poisonous, Exotic, Class 1, 2 3 land uses in Table 2.29.02(B)—**Table of Land Uses**);
- (correcting minimum lot width (ft.) in Table 2.29.02(C)--**Table of Development Standards**) for R-3-One-Family to be 75 and R-3-Two-Family to be 75;
- adding to Table 2.29.02(C) a figure for maximum lot coverage for A-1-zoning;

Denny requested that Staff consider in Section 7.06.00—**Development Plans** clarifying the first sentence of *Section 7.06.01—Intent and Purpose.*, to-wit: Development Plans shall be required for all subdivision, multi-family residential and nonresidential development to ensure that site specific development projects meet the requirements of this code prior to the issuance of a building permit. This paragraph in the Code contradicts/confuses the Land Use tables in Article 02.

Denny noted that farmworker housing needs to be discussed.

Board pointed out and Landfill needs to be reviewed and consider moving from Special Exception approval to Major Special Exception approval. Denny advised that at the 11/18/11 BoCC Workshop a landfill consultant will bring a report regarding future landfill operations.

There was discussion that Section 2.29.02.01 should be more detailed.

Denny pointed out regarding Section 2.30.00(A)-(I) normally no accessory structures are allowed in front of the principal structure/dwelling. Board determined for staff to address and amend regulations to prohibit accessory structures to be in front of the principal structure/dwelling except in certain situations.

Pertaining to the use of cargo containers are storage units, Board wants to consider changing Section 2.30.00(H).

Board determined to continue discussion of Article 02, and begin review of Article 03 at its 12/01/11 regular meeting.

Denny advised of a meeting with National Solar Partners regarding the proposed 1,317.93+/- acre-parcel solar farm stating the design professionals are providing a Site Development Plan together with the Major Special Exception application. The SDP will depict 160-acre-farms to be developed in phases. Staff will propose to process a master plan for MSE/SDP for Farm No. 01 and let the Board determine that subsequent farms on the parcel can be reviewed and approved by staff. Denny pointed out it is planned for build-out in five years.

Board was advised that Holly Hill Products, property owner, National Solar Partners, applicant Major Special Exception w/Site Development Plan is scheduled for P/Z public hearing, 11/03/11, 6:00 p.m.; BoCC public hearing, 11/10/11, 8:35 a.m. (There is only one BoCC public hearing/regular meeting in November, 2011). BoCC waived all permit fees.

Board was advised the P/Z's next Regular Meeting/Public Hearing is scheduled for Thursday, November 03, 2011, 6:00 P.M.

With no further business, upon MOTION by Tomlinson, second by Board Member Reas, Board adjourned at 8:10 P.M.

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B.J. Haney, Acting Recording Secretary