

PLANNING AND ZONING BOARD
REGULAR MEETING/PUBLIC HEARING

October 04, 2012, 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, Vice Chairperson, present
John Deer, present
Shawna Lambert, present
Gordon Norris, present
Oscar Ortiz, present
Mike S. Thompson, Chairperson, present
Mark White, absent

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.

Attendees pledged allegiance to the American Flag followed with prayer by Board Member Conley.

The Board was advised that the Public Notice for the Regular Meeting/Public Hearing was published in The Herald-Advocate on 09/13/12 with Affidavit of Publication on file and that advertisements/public notices were properly posted.

Notary Public Haney administered Oath to those wishing to offer testimony.

MOTION by Board Member Norris second by Board Member Lambert to approve Minutes of 09/06/12 Regular Meeting/Public Hearing as printed and mailed. Motion carried unanimously.

Board was advised that although Agenda No. 12-22 (E.L. Davis, Jr. Rezoning request) was withdrawn by the Applicant's Authorized Representative from this Agenda at this time, the project is progressing by a different route.

Stephen Southwell, (502 W. Main St., Wauchula, FL) was sworn and advised that he was present to answer any questions about the rezoning and to advise that the project is going forward.

Agenda No. 12-20

Board was advised of a request from the Board of County Commissioners by and through the Authorized Representative for approval to repeal Section 5.01.00 of the Hardee County Unified Land Development Code to adopt a new Section 5.01.00 to adopt Flood Hazard Maps; to Designate a Floodplain Administrator; to adopt Procedures and Criteria for Development in Flood Hazard Areas; and for Other Purposes; to adopt Local Administrative Amendments to the Florida Building Code; providing for applicability; repealer; severability and for an effective date as **ORDINANCE NO. 2013-03**.

Board and County Staff were provided with a copy of the application, Staff Report including, staff recommendation and a copy of the draft **Ordinance No. 2013-03** prior to the 10/04/12 public hearing.

Planning/Development Director Denny being sworn advised:

- the proposed ordinance is to replace the existing flood ordinance
- all jurisdictions have an ordinance;
- FEMA (Federal Emergency Management Administration) has dictated we adopt this new procedure;
- this is FEMA's model ordinance;
- our ordinance cannot be less than the model;

- the county has a flood map in place;
- this ordinance will follow the maps that are presently being revised;
- the County had some workshops at the Civic Center giving the public an opportunity to view the proposed flood maps.

Denny gave an overview of the draft Ordinance specifically Section 5.01.04—Permits (Pg. 06 and 07 of the draft ordinance).

Board discussed the draft ordinance.

Denny entered the Staff Report and his testimony into the record; no objections were presented.

Chairman called for public input; none presented.

MOTION by Lambert second by Board Member Ortiz to **RECOMMEND APPROVAL** to the Board of County Commissioners for Agenda No. 12-20 to repeal Section 5.01.00 of the Hardee County Unified Land Development Code to adopt a new Section 5.01.00 to adopt Flood Hazard Maps; to Designate a Floodplain Administrator; to adopt Procedures and Criteria for Development in Flood Hazard Areas; and for Other Purposes; to adopt Local Administrative Amendments to the Florida Building Code; providing for applicability; repealer; severability and for an effective date as **ORDINANCE NO. 2013-03**. based on the Staff Report and recommendation for approval, and based on the testimony presented, and the evidence received in the public hearing. Motion carried with Norris voting no.

BoCC to hold a first public hearing and receive a recommendation from the Planning/Zoning Board pertaining on Thursday, November 01, 2012, 8:35 A.M. or as soon thereafter, and a second public hearing for adoption on Thursday, November 15, 2012, 6:05 P.M. or as soon thereafter.

Agenda No. 12-21

Board was advised of a request from the Board of County Commissioners by and through the Authorized Representative for approval to **Agenda No. 12-21** for an Amendment to Article 09 of the Hardee County Unified Land Development Code, as amended updating Definitions; adding new Definitions as necessary; providing for applicability, severability and for an effective date as **ORDINANCE NO. 2013-04**.

Board and County Staff were provided with a copy of the application, Staff Report including, staff recommendation and a copy of the draft **Ordinance No. 2013-04** prior to the 10/04/12 public hearing.

Planner III Cheney being sworn advised:

- this is a staff-initiated application requesting changes to Article 09 of the Hardee County Unified Land Development Code (ULDC) so that the definitions are consisted with changes in the legislation;
- some definitions were amended to remove 9J5, Florida Administrative Code and some references to Florida Statutes; some definitions were added such as a definition for canal and for biohazardous waste;
- staff recommends approval.

It was noted that Florida Department of Community Affairs has been changed to Office of Economic Opportunity therefore the references in the ordinance to DEO (Department of Economic Opportunity) need to be changed to OEO.

Cheney entered the Staff Report and his testimony into the record; no objections were presented.

Chairman called for public input; none presented.

MOTION by Conley second by Norris to **RECOMMEND APPROVAL** to the Board of County Commissioners for Agenda No. 12-21 for an Amendment to Article 09 of the Hardee County Unified Land Development Code, as amended updating Definitions; adding new Definitions as necessary; providing for applicability, severability and for an effective date as **ORDINANCE NO. 2013-04** and changing all references to Department of Economic Opportunity (DEO) to Office of Economic Opportunity (OEO). Motion carried unanimously.

BoCC to hold a first public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, November 01, 2012, 8:35 A.M. or as soon thereafter, and a second public hearing for adoption on Thursday, November 15, 2012, 6:05 P.M. or as soon thereafter.

Cheney advised that he is seeking additional information for the Planning Commission Training workshop scheduled for 11/09/12, 8:30-Noon, Bok Tower, Lake Wales, FL, and will transmit to the Board upon receipt. Board was encouraged to attend and was reminded that registration deadline is 11/05/12.

Board was advised of next REGULAR P/Z MEETING/PUBLIC HEARING, Thursday, November 01, 2012, 6:00 P.M.

With no further business, Board adjourned at 6:30 P.M.

B.J. Haney, Acting Recording Secretary