

P.C. 3/13/2014

**PDW-01-01(P)(R) – PS Bay, LLC/ Parrot Cove Marina -  
DTS #20130126**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amendment to a Preliminary Site Plan for a marina on approximately 0.45 acres at 11510 36<sup>th</sup> Avenue West, Bradenton, subject to amended stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**P.C.: 3/13/2014**

**B.O.C.C.: 4/03/2014**

**RECOMMENDED MOTION:**

Based upon the staff report, evidence presented, comments, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend **ADOPTION** of Manatee County Zoning Ordinance No. PDW-01-01(P)(R); **APPROVAL** of the Preliminary Site Plan with Stipulations A.1 - A.9, B.1 - B.2, and C.1 - C.2.; **GRANTING** Special Approval for 1) a project adjacent to a perennial stream, and 2) a parcel located within the CEA Overlay District (Comprehensive Plan Policy 2.2.2.4.4) and the CHHA Overlay District (Comprehensive Plan Policy 2.2.2.5.4); **ADOPTION** of the Findings for Specific Approvals, as previously approved by the Board and as recommended by staff.

<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	PDW-01-01(P)(R) (DTS # 20120126)
<b>PROJECT NAME</b>	PS Bay, LLC/Parrot Cove Marina
<b>APPLICANT(S):</b>	PS Bay, LLC (Bob Gertz)
<b>EXISTING ZONING:</b>	PDW/CHHA (Planned Development – Waterfront/Coastal High Hazard) - .45 ± acres
<b>PROPOSED USE(S):</b>	Existing Marina
<b>CASE MANAGER:</b>	Shelley Hamilton
<b>STAFF RECOMMENDATION:</b>	APPROVAL w/stipulations
<b>SITE CHARACTERISTICS AND SURROUNDING AREA</b>	
<b>ADDRESS:</b>	11510 36 <sup>th</sup> Avenue West; Bradenton, FL
<b>GENERAL LOCATION:</b>	Cortez Road/Palma Sola Bay
<b>ACREAGE:</b>	.45 ± acres
<b>EXISTING USE(S):</b>	Marina
<b>FUTURE LAND USE CATEGORY(S):</b>	RES-6 (Residential Single Family – 6 du/acre)
<b>SPECIAL APPROVAL(S):</b>	<ol style="list-style-type: none"> <li>1) Adjacency to a perennial stream consistent with Comprehensive Plan Policy 3.2.2.1</li> <li>2) Parcel partially located within the CHHA Overlay District – Comprehensive Plan Policy 2.2.2.5.4, within the CEA Overlay District – Comprehensive Plan Policy 2.2.2.4.4), and within the CPA (Coastal Planning Area);</li> </ol>

<b>OVERLAY DISTRICT(S):</b>	CHHA (Commercial High Hazard) Overlay Area CEA (Coastal Evacuation Area) CPA (Coastal Planning Area)
<b>SURROUNDING USES &amp; ZONING</b>	
<b>NORTH</b>	Palma Sola Bay
<b>SOUTH</b>	Residential/PDR and RSMH-4.5 (Sunny Shores MHP)
<b>EAST</b>	Residential/PDR and RSMH-4.5 (Sunny Shores MHP)
<b>WEST</b>	County Park/PDPI
<b>SITE DESIGN DETAILS</b>	
<b>RECREATIONAL AMENITIES:</b>	30 Boat Slips (existing); 36 proposed Public Boat Ramp (existing)
<b>FLOOD ZONE(S)</b>	V-17 with a Base Flood Elevation of 13' per FIRM Panel 120153 0306B, revised 3/15/84
<b>AREA OF KNOWN FLOODING</b>	Storm Surge
<b>UTILITY CONNECTIONS</b>	Existing water main – private Sewer is public
<b>DETAILED DISCUSSION</b>	
<p><b><u>Future Land Use</u></b> The .45 ± acre subject property is located within a RES-6 (Residential – 6 dwelling units per acre) on the Future Land Use Map. The RES-6 Future Land Use category allows appropriate water-dependent/water-related/water-enhanced uses.</p> <p><b><u>Zoning</u></b> The property is zoned PDW/CHHA (Planned Development Waterfront). The PDW zone district was approved on this property on March 26, 2002, with 18 stipulations and five Specific Approvals ((PDW-01-01(Z)IP)]. A Preliminary Site Plan was also approved at the same time. A Final Site Plan [PDW-01-01/FSP-02-95]] was approved on October 22, 2004, with subsequent revisions and approvals granted on May 20, 2005, and June 26, 2006.</p> <p>The PDW district ensures that development within coastal areas is compatible with this its natural character through the design and construction techniques that preserve waterfront vistas.</p>	

### **History**

The marina has been in existence since before 1960. It has been damaged through the years by storms and weathering. The rezoning in 2002 was to validate the property, providing a layout of the features as they existed at the date of application of the rezoning. The Specific Approvals granted at the time of the rezoning related to:

- Reduction of the front yard setback;
- Allow the off-street parking and loading conditions to remain in the condition existing at the time of the approval;
- Deletion of the requirement that all vehicle use areas containing more than one-thousand (1,000) square feet to be landscaped;
- Deletion of the requirement for a ten (10) foot wide roadway buffer; and
- Allow Foundation Landscaping of less than twenty (20) square feet (1,000) square feet of proposed gross floor area.

There are currently 30 boat slips existing on the property, with the associated docks that service the boat slips. There is also a caretaker's residence on the property, the required parking for the marina, a public boat ramp and an existing bathroom/shower facility.

### **New Application**

This new application will amend the original Preliminary Site Plan approval. All stipulations and Specific Approvals contained in the original ordinance, as well as requirements contained in the Final Site Plan approval letters, were reviewed, and will be carried over to a new ordinance, if still applicable. If the revised Preliminary Site Plan is approved, a new Final Site Plan will need to be filed and approved in order for the additional boat slips to be provided on the subject property.

The new application submitted is specifically requesting the following changes:

- Add six boat slips to what currently existing on the property (30 slips).

**Staff supports this requested change. The request has been added to the Submerged Land Lease reviewed by the State of Florida.**

- Move the garbage area from the west end of the property to the east end of the property, by the road just west of the boat ramp;

**Staff supports this requested change.**

- Eliminate the three (3) boat trailer parking spaces in the yard on the west side of the home;

**Staff does not support this request to eliminate the trailer parking spaces; however staff agrees that the location of the trailer parking spaces may be moved. While trailers presently are placed on the park area to the west of the property, there is a**

**sign posted on the County park property that does not allow this to occur. Staff understands that the boat ramp is used by not just people who use the boat slips on site, but is also used by others that use the ramp. Provision must remain for the safe parking of at least three boat trailers that may utilize the site.**

- Divide the property into two (2) separate parcels. The parking spaces have been rearranged in order for the correct number of parking spaces to be provided for each parcel. Also, each parcel will have separate bathroom and shower facilities, as well as water, sewer and electricity connections in accordance with Manatee County requirements.

**Staff supports this requested change.**

- Provision of a certain number of live-aboards at the marina. Any vessel in which person(s) stay three (3) consecutive nights shall be considered a live-aboard.

Justification: Currently the LDC considers anyone who spends more than three (3) consecutive nights on their boat as a live-aboard. Since the marina was built in the 1960's, it has had a history of having live-aboards. Other marinas in Manatee County allow live-aboards. The applicant would like to have that same option in order to offer the same rental options to boaters as others marinas in the area. The applicant has installed waste pump-out hookups at the boat slips and requires all of the tenants to use them. The applicant has also received approval from the Florida Department of Environmental Protection for live-aboards, and has amended the Submerged Land Lease to allow for them. Staff supports a total of 10 live-aboards and the applicant is in agreement with that limitation.

- Site Data – Item #10:
  - Allow crushed shell in the parking area;

Justification: The crushed shell has been used in the parking area since the marina was originally opened.

**Staff supports this request and a stipulation has been added to accomplish this.**

### **Existing Stipulations**

Several of the existing stipulations have been satisfied, and can, therefore, be eliminated. For example, the elimination of fueling pumps and tanks and the provision of signs and channel markers have already occurred, and therefore, the stipulations are no longer necessary.

### **Staff Recommended Stipulations**

The following stipulations are either carried forward from the original approval or have been identified by the County agencies during their review of the application;

**A. DESIGN AND LAND USE CONDITIONS:**

1. The total number of slips shall be limited to 36.
2. A maximum of 10 live-aboards shall be permitted at this marina facility. Any vessel in which person(s) stay three (3) consecutive nights shall be considered a live-aboard.
3. The manufactured home and garage shall be utilized as a single-family residence. No repair of boats, retail, or office uses shall be permitted in a structure, except home office uses on the top floor related to the maintenance of paperwork generated by the operation of the marina. All uses of the structure shall be in compliance with applicable FEMA regulations.
4. Only maintenance and minor repair of vessels in the water shall be allowed.
5. There shall be a provision made for three 10' x 35' boat trailer parking spaces in the general location as shown on the Preliminary Plan submitted with the application.
6. No additional pole lights shall be permitted on the upland portion of this site. The two existing pole lights shall conform to the requirements of Section 709.2.2 of the Land Development Code.
7. Prior to revised Final Site Plan approval, the marina shall demonstrate compliance with the Land Development Code, Section 722.1.8.4, relating to minimum fire flow criteria.
8. A Hurricane Evacuation Plan shall be approved by the Public Safety Department prior to Final Site Plan approval.
9. Any additional boat slips or additional facilities on the upland portion of the property, or any reconfiguration of parking spaces anticipated will require a revised Final Site Plan be submitted for review and approval.

**B. INFRASTRUCTURE CONDITIONS:**

1. At the time of Final Site Plan submittal, the marina shall demonstrate adequate capacity to handle sewer, either by means of on-site pumped and treatment facilities or connection to a treatment plan pursuant to Section 603.14.4.10 of the Land Development Code.
2. The parking area shall be constructed using crushed shell.

**C. ENVIRONMENTAL CONDITIONS:**

1. The existing boat basin shall not be dredged or altered, including maintenance dredging, unless permitted by all regulatory agencies having jurisdiction (Federal, State, and County agencies).
2. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information the Final Site Plan, in accordance with Section 519 of the Land Development Code.

**POSITIVE ASPECTS**

- This facility has been in operation as a marina with boat slips and a boat ramp since before 1960.
- The only addition to the facility planned is an additional bathroom/shower trailer and six additional boat slips, as allowed by the Submerged Land Lease.

**NEGATIVE ASPECTS**

N/A

**MITIGATING MEASURES**

- A stipulation is included that ensure that the existing boat basin is not dredged or altered unless permitted by all regulatory agencies having jurisdiction (Federal, State and County agencies).
- A stipulation is also included to require Water Quality Monitoring to ensure continued protection of Palma Sola Bay.

**REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED**

N/A

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE**

**Physical Characteristics:**

There is adequate upland on the subject parcel to support splitting the property into two separate parcels. There are existing buildings on the two parcels to conduct the marina business on either. Each parcel will have separate bathroom and shower facilities, as well as

water, sewer and electricity connections in accordance with Manatee County requirements. Finally, there is ample room to provide the required number of parking spaces to serve the number of designated boat slips and accessory structures for each parcel.

**Public Utilities, Facilities and Services:**

The site is currently served by Sunny Shores Water Company, a private company within the Manatee County Utilities system. There are separate connections for both water and sewer on both of the proposed parcels, so there is no need for any new connections to either parcel. The new shower and restroom trailer will be connected to that system.

**Major Transportation Facilities:**

There is a maintained travel way on the subject property for 36<sup>th</sup> Avenue West. The asphalt travel way is located along the north side of 36<sup>th</sup> Avenue West and is wholly within the public street right-of-way.

**Compatibility:**

There has been a marina on the property since before 1960. The property is located on Palma Sola Bay and the continued protection of the waterway bottom and grassbeds of Palma Sola Bay has been ensured with stipulations.

**Access:**

Access to the subject property is from 36<sup>th</sup> Avenue West.

**Natural and Historic Features, Conservation and Preservation Areas:**

The project will continue to provide protection of the bottom and seagrass areas nearby. No dredging is proposed and signage marks the edges of the seagrass bed. Three signs are located along the north side of the seagrass bed, and one sign is located along the east side on the seagrass bed adjacent to the marina access channel. There is also signage about the importance of seagrasses located adjacent to the parking lot near the existing boat ramp.

**Density/Intensity:**

The site has been in operation as a marina, with a boat ramp, since before 1960. Although the number of slips has varied over time, ranging between twenty-five and forty-five through the years, the upland area has always been sufficient to provide the necessary support for operation of the facility.

**Signs:**

As stated above, the seagrass beds are marked for protection. There are also navigational aids in place adjacent to the site. Finally, “no wake” signs have been placed at the end of each dock.

**Mixed Use or Entranceway Designation:**

The property is not located in an entranceway.

**Utility Standards:**

The marina is currently supplied with water and sewer from a private company, Sunny Shores Water Company, not directly from Manatee County. The new shower and restroom trailer will be connected to the Sunny Shores Water Company facility. There are separate water and sewer connections that exist for the two proposed parcels, therefore no new connections will be needed. The water and sewer connections are shown on the Preliminary Plan.

**Stormwater Management:**

Project Located in Flood Prone Area:	Yes
Type of Flooding (i.e., rainfall, riverine, storm surge, etc.):	Storm surge
Project Subject to flow reduction:	N/A
Project subject to OFW: Estuarine System	Yes; Palma Sola Bay/Sarasota Bay
Watershed/Basin:	Palma Sola Bay
Project located within Floodplain and/or Floodway:	Project is inside 100 year FEMA floodplain (Zone VE)
Drainage Easements/Access Easements required for Existing system(s):	N/A
Impairment:	Appears impaired for nutrients, fecal coliform, mercury, verify with FDEP (WBID's 1883 and 1888)

**ENVIRONMENTAL INFORMATION**

**Wetlands**

There are no wetlands within the project boundary on land. The only wetland is the adjacent water body, Palma Sola Bay.

**Uplands**

There are no upland habitats on-site.

**Endangered Species**

There are no endangered species on-site as this is a developed site with an existing marina use

**Trees**

Any trees and landscaping will be detailed on the Final Site Plan.

**TRANSPORTATION**

**Major Transportation Facilities**

The site currently has access to 36<sup>th</sup> Avenue West, which is a rural standard local road.

**Transportation Concurrency**

Transportation concurrency was evaluated as part of the review of this project. It was determined that no Traffic Impact Statement or Study was required to be submitted by the applicant. The results of a county staff review, indicated that the impacted roadway segment is expected to operate above the adopted level of service (LOS) “D” performance standard with project-related traffic and with no off-site concurrency-related improvements being required for the project (see Certificate of Level of Service Compliance table below).

**Access**

In conjunction with transportation concurrency, a review of access issues was undertaken by County staff. The site plan indicates access onto 36<sup>th</sup> Avenue West. The results of the access review indicated that no site-related improvements will be required for this project.

**CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE**

**TRANSPORTATION CONCURRENCY**

**CLOS APPLIED FOR:**     Y   √       N         
**TRAFFIC STUDY REQ'D:**   Y            N   √  

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
Cortez Road/S.R. 684	2315	“D”	“B”

In summary, the results of this application review demonstrate that no off-site or site-related improvements are required for this project.

**OTHER CONCURRENCY COMPONENTS**

Solid waste landfill capacity and preliminary drainage intent have been reviewed with this Preliminary Site Plan. Potable water and wastewater will be reviewed at the time of Final Site Plan/Construction Drawings submittal.

## COMPLIANCE WITH COMPREHENSIVE PLAN

**The site is in the RES-6 Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:**

**Policy 2.1.2.7 Appropriate Timing.** The use of the subject property is not changing. The marina has existed on the property since prior to the 1960's. The surrounding area is characterized by a community park and mobile home parks that frequently utilize the facilities on site.

**Policy 2.2.1.12.1 Intent. The site is intended to continue the use as a marina.** The intent of the RES-6 designation is to provide for a complement of residential support uses, in addition to the residential low density, urban residential environment.

**Policy 2.2.1.12.2 Range of Potential Uses.** The potential uses include suburban or urban residential uses, neighborhood retail uses, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses. The marina has been an established on the subject property since prior to the 1960's.

**Policy 2.6.1.1 Compatibility.** The Preliminary Site Plan recognizes the uses on the property and the surrounding development. It continues to ensure compatibility with, and sensitivity with those surrounding uses.

## SPECIFIC APPROVAL – ANALYSES, RECOMMENDATIONS, FINDINGS

When the PDW zone district was approved for the subject property on March 26, 2002, Specific Approvals were approved for the following instances:

- Reduce of the front yard setback;
- Allow the off-street and loading conditions to remain in the condition existing at the time of the approval;
- Delete the requirement that all vehicle use areas containing more than one thousand (1,000) square feet to be landscaped;
- Delete the requirement for a ten (10) foot wide roadway buffer; and
- Allow Foundation Landscaping of less than twenty (200) square feet per one thousand (1,000) square feet of proposed gross floor area.

## **SPECIAL APPROVAL – ANALYSES, RECOMMENDATIONS, FINDINGS**

1. Comprehensive Plan Policy 3.2.2.1., requires any project that is adjacent to any perennial lake or stream obtain special approval to ensure that project impacts on these waterbodies are identified and minimized.

### **Staff Analysis and Recommendation**

The site plan and accompanying documentation submitted with the application demonstrates that there are no impacts proposed to the Palma Sola Bay area.

The LDC Section 605 details the Special Approval process and states that this is a “process requiring an additional level of review that only needs to occur as a single development application; in this case, the application is seeking to revise an existing marina to add additional boat slips and allow live-aboards. The marina has existed in this location since prior to the 1960’s and no impacts are proposed to the protected area of Palma Sola Bay. Land Development Code Section 605.3 states that a Special Approval shall continue in effect until such time as the use for which the special approval is granted discontinues for a period exceeding one year.

The LDC Section 605.5 states that “Special Approval may be granted only upon findings that the project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities and only when the specific criteria for the use have been satisfied. It is staff’s opinion that the application submitted includes all information necessary to make a finding that the Special Approval should be approved.

### **Finding for Special Approval**

Notwithstanding the requirements of Comprehensive Plan Policy 3.2.2.1, the Board finds that the purpose of the Comprehensive Plan, specifically the intent to require all new project adjacent to a perennial stream be established pursuant to the special approval process. The information submitted with the Special Approval, in conjunction with the Preliminary Plan application, ensures that all criteria for the use proposed have been satisfied.

2. Comprehensive Plan Policy 2.2.2.5.4., states that, “Any project which is at least partially within the CHHA Overlay District shall be submitted for approval under the special approval process...” Similarly, Comprehensive Plan Policy 2.2.2.4.4, also requires that “any project which is at least partially within the CEA Overlay District shall be submitted for approval under the special approval process...”

### **Staff Analysis and Recommendation**

The purpose of the CHHA and the CEA Overlay Districts, and the CPA is to “limit the amount of infrastructure within the CHHA and CEA Overlay Districts, and the

CPA, and thereby limit the magnitude of public loss and involvement in mitigating for loss private infrastructure to Manatee County residents. “ It is the intent of this overlay district to prohibit permanent structures from being placed in this district. The only new structure that will be located on the subject property is a bathroom/shower trailer that will provided for the existing mobile home to provide facilities for the boat slips on the western end of the property once the property is split.

**Finding for Special Approval**

Notwithstanding the requirements of Comprehensive Plan Policy 2.2.2.5.4., the Board finds that the purpose of the Comprehensive Plan, specifically the intent to require any project which is at least partially within the CHHA and CEA Overlay Districts to be submitted and reviewed under the special approval process. The Special Approval ensures that services are available to ensure the transitioning of these lands, is satisfied to an equivalent degree by the proposed design.

**ATTACHMENTS**

- 1. Applicable Comprehensive Plan Policies**
- 2. Copy of Newspaper Advertising**

**ATTACHMENT #1  
APPLICABLE COMP PLAN POLICIES**

**FUTURE LAND USE**

**Policy 2.2.1.12**                    **RES-6: Establish the Residential -6 Dwelling Units/Gross Acre future land use category as follows:**

**Policy 2.2.1.12.1**            **Intent: To identify, textually in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas.**

**Policy 2.2.1.12.2**            **Range of Potential Uses (see Policies 2.1.2.3 – 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).**

**Policy 2.2.1.12.3**            **Range of Potential Density/Intensity:**

**Maximum Gross Residential Density:**

**6 dwelling units per acre**

**Minimum Gross Residential Density: 5.0 only in CRA’s and UIRA for residential projects that designate a minimum of 25% of the dwelling units as “affordable Housing.”**

**Maximum Net Residential Density:**

**12 dwelling units per acre**

**16 dwelling units per acre within the CRA’s and UIRA for residential projects that designate a minimum of 25% of the dwelling units as “Affordable Housing.” (except within the WO or CHHA Overlay Districts, pursuant to Policies 2.3.1.4 and 4.3.2.5)**

**Maximum Floor Area Ratio:**

**0.23 (o.35 for mini-warehouse uses only)  
1.00 inside the CRA's and UIRA**

**Maximum Square Footage for Neighborhood Retail Uses:  
Medium (150,000 sf.)**

**Policy 2.2.1.12.4**

**Other Information:**

- a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.
- b) All projects for which gross residential density exceeds 4.5 dwelling units per acre, or in which any net residential density exceeds 6 dwelling units per acre shall require special approval.
- c) Any non-residential project exceeding 30,000 square feet of gross building area shall require special approval.
- d) Professional office uses not exceeding 3,000 square feet in gross floor area within the category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.1 and detailed in the Land Use Operative Provisions Section E(1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2,10.4.2).

**Policy 2.2.1.13**

**RES-9: Establish the Residential - 9 Dwelling Units/Gross Acre future land use category as follows:**

**Policy 2.2.1.13.1**

**Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low-moderate urban, or a clustered moderate urban residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these urban areas.**

**Policy 2.2.1.13.2**

**Range of Potential Uses (see Policies 2.1.2.3 – 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, dormitories, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential**

uses, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).

**Policy 2.2.1.13.3**

**Range of Potential Density/Intensity:**

**Maximum Gross Residential Density:**

**9 dwelling units per acre**

**Minimum Gross Residential Density: 7.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "affordable Housing."**

**Maximum Net Residential Density:**

**16 dwelling units per acre**

**20 dwelling units per acre within the CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing." (except within the WO or CHHA Overlay Districts, pursuant to Policies 2.3.1.4 and 4.3.2.5)**

**Maximum Floor Area Ratio:**

**0.23 (0.35 for mini-warehouse uses only)**

**1.00 inside the CRA's and UIRA**

**Maximum Square Footage for Neighborhood Retail Uses:  
Medium (150,000 sf.)**

**Policy 2.2.1.13.4**

**Other Information:**

- a) **All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.**
- b) **All projects for which gross residential density exceeds 6 dwelling units per acre, or in which any net residential density exceeds 9 dwelling units per acre shall require special approval.**
- c) **Any non-residential project exceeding 30,000 square feet of gross building area shall require special approval.**
- d) **Professional office uses not exceeding 3,000 square feet**

in gross floor area within the category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.1 and detailed in the Land Use Operative Provisions Section E(1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2,10.4.2).

**Policy 2.2.2.4**                    **CEA: Establish the Coastal Evacuation Area Overlay District as follows:**

**Policy 2.2.2.4.1**                    **Definition: The geographic area which lies within the evacuation area for a Category 1 Hurricane as established by the Manatee County Emergency Management Division of the Public Safety Department in conjunction with the Tampa Bay Regional Planning Council, as updated on a period basis.**

**Policy 2.2.2.4.2**                    **Purpose:**

- a) To limit population in the Category 1 Hurricane evacuation area requiring evacuation during storm events.**
- b) To limit the amount of infrastructure, both private and public, within the CEA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents.**
- c) To, through exercise of the police power, increase the degree of protection to public and private property, and to protect the lives of residents within the CEA, and reduce the risk of exposing lives or property to storm damage.**
- d) To accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.**
- e) To protect coastal water quality by reducing impervious surface along coastal areas, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal waters.**
- f) To encourage, establish, and maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge and tidal velocity, and the erosive effect of wave action.**

**Policy 2.2.2.4.3**                    **Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the CEA Overlay District are contained under Objectives 4.3.1., 4.3.2., 4.4.2., and 4.4.3 of**

**the Coastal Management Element.**

**Compliance with all goals, objectives, and policies listed in this subsection, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CEA Overlay District.**

**Policy 2.2.2.4.4**

**Effect of Mapping:**

- a) Any project which is at least partially within the CEA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased or operated by the Manatee County Port Authority. The area designated under the CEA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives, and policies overlaid by the CEA Overlay District, except where policies associated with the CEA Overlay District conflict with such goals, objectives and policies. In this event, policies associated with the CEA Overlay shall override other goals, objectives and policies.**

**Policy 2.2.2.4.5**

**Development Restrictions/conditions**

- a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal Evacuation Area.**

**Policy 2.2.2.5**

**CHHA: Establish the Coastal High Hazard Area Overlay District, as follows:**

**Policy 2.2.2.5.1**

**Definition: The geographic area below the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, pursuant to applicable law, as updated on a periodic basis.**

**Policy 2.2.2.5.2**

**Purpose:**

- a) To limit population in the Coastal High Hazard Area Overlay District.**
- b) To limit the amount of infrastructure, both private and public, within the CHHA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents.**
- c) To, through exercise of the police power, increase the**

degree of protection to public and private property, and to protect the lives of residents within the CHHA, and reduce the risk of exposing lives or property to storm damage.

- d) To accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.
- e) To protect coastal water quality by reducing imperious surface along coastal area, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal waters.
- f) To encourage, establish, and maintain vegetative and spatial buffer zones, in order to maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge, and tidal velocity, and the erosive effect of wave action.

**Policy 2.2.2.5.3**

**Applicable Goals, Objectives, and Policies:** Goals, objectives, and policies pertaining to the CHHA Overlay District are contained under Objectives 4.3.1, 4.3.2, 4.4.2 and 4.4.3 of the Coastal Management Element. Compliance with all goals, objectives, and policies listed in these subsections, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CHHA Overlay District.

**Policy 2.2.2.5.4**

**Effect of Mapping:**

- a) Any project which is at least partially within the CHHA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased, or operated by the Manatee County Port Authority. The area designated under the CHHA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CHHA District, except where policies associated with the CHHA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CHHA Overlay shall override other goals, objectives and policies. The extent and coverage of the area designated as CHHA is an approximation, and is subject to a more precise determination on any project within, or proximate to, that area shown on the Future Land Use Map as CHHA. At the time of review of any such project for issuance of any development order establishing total or partial

	<p>development potential, evaluation of a pre-development topographic survey of the site shall be utilized to determine the extent of the CHHA District Overlay.</p> <p>b) See also objectives listed under Policy 2.2.2.5.3.</p>
<b>Policy 2.2.2.5.5</b>	<b>Development Restrictions/Conditions</b> <p>a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal High Hazard Area Overlay District.</p>
<b>Objective 2.6.1</b>	<b>Compatibility Through Screening, Buffering, Setbacks, and Other Mitigative Measures:</b> <p>Require suitable separation between adjacent land uses to reduce the possibility of adverse impacts to residents and visitors, to protect the public health, and to provide for strong communities.</p>
<b>Policy 2.9.4.4</b>	<b>Protect natural waterfront vistas as a defining characteristic of Manatee County. Protection measures may include, but not be limited to the following:</b> <ul style="list-style-type: none"><li>– increased waterfront setbacks and buffers,</li><li>– additional plantings of native vegetation.</li><li>– maintaining conservation areas in public or joint ownership arrangements,</li><li>– provision of joint boat docking facilities.</li><li>– limitations on height and size of structures.</li></ul>
<b>CONSERVATION</b>	
<b>Policy 3.2.2.1</b>	<b>Require all projects that are adjacent to any perennial lake or stream, as reflected in the Manatee County Soil Survey, obtain special approval to ensure that project impacts on these waterbodies are identified and minimized. (See Policy 2.3.1.2)</b>