

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	Ordinance 11-18 - Parrish Lakes DRI#28	TYPE AGENDA ITEM	Advertised Public Hearings - Consent
DATE REQUESTED	6/9/11 PC	DATE SUBMITTED/REVISED	5/31/11
BRIEFINGS? Who?	None	CONSEQUENCES IF DEFERRED	None
DEPARTMENT/DIVISION	Building and Development Services/Comprehensive Planning-Public Hearings	AUTHORIZED BY TITLE	John Osborne, AICP, Planning and Zoning Official <i>JO</i>
CONTACT PERSON TELEPHONE/EXTENSION	Lisa Barrett/748-4501 ext. 6884	PRESENTER/TITLE TELEPHONE/EXTENSION	Lisa Barrett/ Planning Manager/ 748-4501 ext. 6884
ADMINISTRATIVE APPROVAL			

ACTION DESIRED
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

I move to continue the public hearing for Ordinance 11-18 to August 14, 2011 at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Chambers.

ENABLING/REGULATING AUTHORITY
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

380.06 (11) Florida Statutes and Rule 9J-2.022, FAC

BACKGROUND/DISCUSSION

- N/A

COUNTY ATTORNEY REVIEW

Check appropriate box	
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)
<input checked="" type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
N/A		N/A	
COST:	N/A	SOURCE (ACCT # & NAME):	N/A
COMMENTS:		AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	Evaluation and Appraisal Report (EAR)	TYPE AGENDA ITEM	Advertised Public Hearing – Report
DATE REQUESTED	06/09/11	DATE SUBMITTED/REVISED	06/01/11
BRIEFINGS? Who?	None	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Building and Development Services / Comprehensive Planning and Public Hearings	AUTHORIZED BY TITLE	John Osborne, AICP, Planning and Zoning Official
CONTACT PERSON TELEPHONE/EXTENSION	Kathleen Thompson , AICP 748-4501 ext. 6841	PRESENTER/TITLE TELEPHONE/EXTENSION	Kathleen Thompson, AICP Planning Manager 748-4501 ext. 6841
ADMINISTRATIVE APPROVAL			

ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
I move to recommend TRANSMITTAL by the Board of County Commissioners of the EAR (Evaluation and Appraisal Report) to the DCA (Department of Community Affairs).

ENABLING/REGULATING AUTHORITY Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy
Chapter 163 Florida Statutes (163.3191) and Chapter 9J-5 Florida Administrative Code.

BACKGROUND/DISCUSSION
<ul style="list-style-type: none"> • Every 7 years, local governments must assess the progress of implementing their Comprehensive Plan (Florida Statute 163.3191) • The evaluation reviews and responds to changes in state, regional, and local policies on planning and growth management, changing conditions and trends, intergovernmental coordination, and identifies major issues regarding the community's achievement of its goals. • The following major issues were identified with input from state and regional agencies, adjacent local governments, and the public: <ul style="list-style-type: none"> ○ Urban Core Development/Redevelopment ○ Energy Conservation – Reduction in Green House Gas Emissions ○ Economic Development • The Evaluation and Appraisal Report (EAR) serves as a summary audit of the County's actions undertaken by the Plan and identify changes that it may need to make to the Plan. The report is based on the analysis of major issues to further the community's goals consistent with statewide minimum standards. A brief assessment of successes and shortcomings related to each element of the plan is also prepared. • The report provides a summary of recommended changes to the Comprehensive Plan. Some of those recommendations include strengthening economic development by identifying programs and strategies to spur positive economic development; incorporating additional policies and guidelines that focus on infill and redevelopment; evaluating changes needed to focus on true mixed use projects and identify TOD (transit oriented development) design principles and procedures; incorporating policies that encourage the use of Low-Impact Development techniques; and establishing policies for a balanced transportation system that provides transportation choices and changes in land use policies to minimize trip lengths, reduce traffic delays, and reduce overall green house gas emissions. • The draft report was presented before the Planning Commission on 4/14/11. • Ninety days prior to the scheduled adoption date, a draft EAR will be sent to the Department of Community Affairs (DCA) for review. Adoption of the EAR is expected prior to September 1st, 2011. • Due to the volume of the EAR report, copies will be available on the web at mymanatee.org/manateeplan

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input type="checkbox"/>	REVIEWED

	Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)
<input checked="" type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Evaluation and Appraisal Report (EAR)		n/a	
COST:	n/a	SOURCE (ACCT # & NAME):	n/a
COMMENTS:		AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	LDCT-11-02/Ordinance 11-20 Impact Fee Ordinance Update DTS #20110117	TYPE AGENDA ITEM	Advertised Public Hearing – Regular
DATE REQUESTED	June 9, 2011	DATE SUBMITTED/REVISED	May 27, 2011
BRIEFINGS? Who?	None	CONSEQUENCES IF DEFERRED	Delay in Implementation
DEPARTMENT/DIVISION	Building & Development Services Department and Financial Management Department	AUTHORIZED BY TITLE	John Barnott / Director, Building and Development Services Department Jim Seuffert / Director, Financial Management Department
CONTACT PERSON TELEPHONE/EXTENSION	Sharla Fouquet, Impact Fee Coordinator / Financial Management Department (941) 748-4501, Ext. 3966	PRESENTER/TITLE TELEPHONE/EXTENSION	Sharla Fouquet, Impact Fee Coordinator / Financial Management Department (941) 748-4501, Ext. 3966 John Osborne, AICP, Planning and Zoning Official / Building and Development Services Department (941) 748-4501, Ext. 6825
ADMINISTRATIVE APPROVAL			

ACTION DESIRED

INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan, and CONSISTENT with the general purpose and standards of Section 8 of the Manatee County Land Development Code, I move to recommend ADOPTION of Manatee County Ordinance 11-20, as recommended by staff.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

Manatee County Comprehensive Plan, Manatee County Land Development Code, Florida Impact Fee Act

BACKGROUND/DISCUSSION

On June 19, 2004, Manatee County enacted Ordinance 04-19, which implemented Chapter 801, "Impact Fees," of the Manatee County Land Development Code, and an impact fee schedule based on a December 30, 2003 study by the Tischler & Associates fiscal, economic, and planning consulting firm.

On February 17, 2007, Manatee County enacted Ordinance 06-75, which updated both Chapter 801 of the Land Development Code and the County's impact fee schedule, based on an October 25, 2006 study performed by the TischlerBise consulting firm. Those updates were based on local data available at the time of the study.

On July 27, 2009, Manatee County enacted Ordinance 09-37, which effected a 50% reduction of road impact fees for two years, and Ordinance 09-36, which suspended school impact fees for two years. Ordinance 09-37 also required that the County conduct a study of impact fees to ensure that any fee schedule adopted after the current schedule expired would be based on the most recent and localized data, as is required by Section 163.31801, *Florida Statutes*, a/k/a the "Florida Impact Fee Act". This Act requires that Florida counties re-evaluate the demographic and financial data used to derive impact fees, to ensure that said data is current and representative of local factors.

On January 25, 2011, the Board of County Commissioners of Manatee County directed the County Administrator to draft a set of ordinances which would extend the road impact fee reduction, and the school impact fee suspension, adopted in 2009. The Board also directed the County Administrator to complete a new impact fee study, already in the process of being conducted by Henderson, Young and Company, which would update not only the road impact fees, but also the Law Enforcement, Public Safety, and Parks impact fees. That study, now completed, recommends the adoption of single family residential impact fees, calculated and detailed in the new study, that in general are slightly higher than Manatee County's current fees, and other residential/commercial impact fees that are lower than the current fees. A table showing the impact fees currently in effect, and the new fees recommended by the Henderson, Young and Company study, is attached.

Road Impact Fees - The new impact fee study completed by Henderson, Young and Company on May 27, 2011, has resulted in a proposed new impact fee schedule in which many of the road impact fees are lower than those adopted July 27, 2009 (the July 27, 2009 rates having been adopted at 50% of the previous road impact fees). Although some of the proposed new fees are somewhat higher than those adopted in the July 27, 2009 fee schedule, which is the fee schedule currently in effect, staff is recommending that the new fees be adopted at the maximum rates described in the new study. Overall, staff anticipates that total road impact fees will be reduced slightly from the 2009 rates.

Law Enforcement Impact Fees – The new study includes more accurate accounting of services provided by land use type, resulting in some land use types being charged a higher rate than in the County's last impact fee study, and some land use types being charged a lower rate. Overall, there is estimated to be a small reduction in revenue from law enforcement impact fees.

Parks Impact Fees – Overall, park impact fees are estimated to be about 20% higher than the County's current fee, based mainly on the increased value of park assets, and on the increased number of parks.

Public Safety Impact Fees – These fees are expected to be about twice the current amount; however, this fee is relatively small compared to the other fees.

In summary, most land use types show a decrease in their total impact fee compared to their current rates. Single family residential shows a small increase (about \$750 on a 3 bedroom home – from \$5,498 to \$6,249). It is not anticipated that this relatively small change will have any significant impact on the market for single family homes.

Under the terms of the Florida Impact Fee Act, a new impact fee schedule cannot be implemented until 90 days notice has been provided to the public. Staff therefore recommends the following:

- That the impact fee schedule adopted on July 27, 2009 be extended through September 30, 2011.
- That the impact fee study and schedule developed by Henderson, Young and Company be adopted effective October 1, 2011.

Ordinance 11-20 has been drafted by William Clague, Deputy County Attorney, to implement these recommendations.

This Land Development Code change requires that one public hearing be conducted before the Planning Commission, and that one public hearing be conducted before the Board of County Commissioners.

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input checked="" type="checkbox"/>	OTHER – Ordinance 11-20 drafted by William Clague, Deputy County Attorney

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
<ol style="list-style-type: none"> 1. Table with current fees and proposed new impact fees based on latest impact fee study prepared by Henderson, Young & Associates 2. Draft of proposed Ordinance 11-20 3. Current Impact Fee Schedule, Effective July 27, 2009 4. Proposed Impact Fee Schedule, Effective October 1, 2011 5. Draft of new impact fee study prepared by Henderson, Young & Associates 			
COST:		SOURCE (ACCT # & NAME) :	
COMMENTS:		AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	

ORDINANCE 11-20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING A STATEMENT OF PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); AMENDING SECTION 803.1.2.2. TO TEMPORARILY EXTEND THE REDUCTION OF EXISTING IMPACT FEES BY FIFTY PERCENT THROUGH SEPTEMBER 30, 2011; AMENDING SECTION 802 (LEGISLATIVE FINDINGS, RELIANCE UPON THE IMPACT FEE STUDY, AND INTENT) TO REFER TO THE MOST RECENT IMPACT FEE STUDY COMPLETED BY THE COUNTY; AMENDING SECTION 803 (ROADS IMPACT FEE) TO REFER TO DELETE UNECESSARY LANGUAGE; AMENDING CHAPTER 8 OF THE LAND DEVELOPMENT CODE TO ADOPT A NEW SCHEDULE OF IMPACT FEES EFFECTIVE AS OF OCTOBER 1, 2011 IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR NOTICE OF THE NEW AND AMENDED IMPACT FEES IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 04-19, codified as Section 801 of the Land Development Code (the "Impact Fee Ordinance"), the County has established a system of impact fees to fund capital facilities needed in order to accommodate new development, based upon an impact fee study and other testimony and evidence entered into the record at the public hearings held for the adoption of the Impact Fee Ordinance; and

WHEREAS, on July 27, 2009, the County enacted Ordinance No. 09-37, amending the Impact Fee Ordinance to provide for a fifty percent (50%) reduction of roads impact fees to accurately reflect the cost of providing County Road Facilities to accommodate new growth and development, and in order to provide additional economic relief to the housing and development sectors of the local economy; and

WHEREAS, Ordinance No. 09-37 also requires that the County restudy and revise its impact fees on or before July 27, 2011, to assure that such impact fees are based upon the most recent and localized data as required pursuant to Section 163.31801, *Florida Statutes*.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This ordinance is enacted to carry out the purpose and intent of and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163, *Florida Statutes*, and Chapter 125, *Florida Statutes*, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings in the adoption of this Ordinance:

- A. The statements set forth in the above recitals to this Ordinance are true and correct.;
- B. The amendments to the Land Development Code set forth herein are necessary to fund capital facilities needed in order to accommodate new development.;
- C. Based on forecasts in the Manatee County Comprehensive Plan, new growth and development in the County is expected to continue into the foreseeable future, placing ever-increasing demands on County Capital Countywide Parks Facilities, Capital Roads Facilities, Capital Law Enforcement Facilities, and Capital Public Safety Facilities (collectively, "County Capital Facilities"), requiring expansion of these County Capital Facilities to accommodate new growth and development.
- D. County Capital Facilities are provided by the County to serve the residents of the County.
- E. The County retained ~~[Randy Young]~~Henderson Young & Company to prepare "IMPACT FEE RATE STUDY FOR ROADS, PARKS, PUBLIC SAFETY, AND LAW ENFORCEMENT IN MANATEE COUNTY, FLORIDAImpact Fees", ~~prepared for Manatee County, Florida, and dated _____ May 19, 2011,~~ (hereinafter "Impact Fee Study") which is incorporated herein by reference.
- F. The Impact Fee Study sets forth reasonable methodologies and analyses for determining the impacts of new development on the County's Capital Countywide Parks Facilities, Capital Roads Facilities, Capital Law Enforcement Facilities, and Capital Public Safety Facilities.
- ~~G. In recent years a severe economic recession, both nationally and in the State of Florida, has resulted in a significant reduction in growth and development, and a significant reduction in the cost of providing County Road Facilities as well as demand for construction of capacity improvements to such County Road Facilities.~~
- ~~H. Because of the ongoing economic recession and downturn in the housing market, and the resulting reduced demand for Capital Roads Facilities and other County Capital Facilities, the County has elected to set the Impact Fees at levels substantially lower than the Impact Fee Study would support, such that the Impact Fees set pursuant to this Ordinance do not result in the increase of County Impact Fees or creation of new County Impact Fees for purposes of Section 163.31801, Florida Statutes.~~

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I-G. Based upon the impact fee study and other testimony and evidence entered into the record at the public hearings held for the adoption of this Ordinance, the Impact Fees levied pursuant to the Land Development Code, as amended hereby, are fair, reasonable and roughly proportionate to the capital needs generated by the new development for which such fees shall be levied and do not exceed the costs incurred by the County to accommodate the new development that will pay the Impact Fees.

J-H. The adoption of Impact Fees that impose a proportionate share of the costs the County will incur in providing for the expansion of County Capital Facilities implements the Manatee County Comprehensive Plan and ensures new growth and development pays a fair share of the costs the County will incur in accommodating it.

K-I. There is both a rational nexus and a rough proportionality between the development impacts created by each type of development covered by this Ordinance and the Impact Fees that such development will be required to pay.

L-J. The Impact Fee Ordinance creates a system by which Impact Fees paid by new development will be used to finance, defray, or reimburse all or a portion of the costs incurred by the County for Improvements for County Capital Facilities in ways that benefit the development that paid each Fee within a reasonable period of time after the Fee is paid.

M-K. The Impact Fee Ordinance creates a system under which Impact Fees shall not be used to replace or rehabilitate existing Improvements for these Capital Facilities.

N-L. The standards, assumptions, and Capital Facility Standards in the Impact Fee Study, and the terms and provisions of this Ordinance, are consistent with the Manatee County Comprehensive Plan.

O-M. The Planning Commission as the County's local planning agency held a duly noticed public hearing on June 9, 2011, to review this Ordinance, and adopted a motion finding this proposed Ordinance consistent with the Comprehensive Plan and recommending its adoption to the Board of County Commissioners.

P-N. The Board of County Commissioners held a duly noticed public hearing on June 21, 2011, on this Ordinance to receive public comment and review and consider the Staff Report and the report of the Planning Commission on this Ordinance.

Q-O. The Board of County Commissioners after considering public comment, the recommendations of the Planning Commission and Planning staff, has found this Ordinance to be consistent with the Comprehensive Plan and in furtherance of the public health, safety and welfare, and has adopted this Ordinance as set forth herein.

Section 3. Amendment of Chapter 8 of the Land Development Code. This ordinance hereby amends Chapter 8 of the Manatee County Land Development Code, also known as Manatee County Ordinance 90-01, as amended, as follows:

A. ~~Section 802.1. of the Land Development Code is amended to read as follows (underlined language to be added; struck-through language to be deleted):~~

~~802.1. The Board of County Commissioners of Manatee County hereby finds that the document titled "Impact Fees", prepared for Manatee County, Florida, prepared by TischlerBise [Randy Young], and dated October 25, 2006 _____, 2011, is based upon the most recent and localized data and relies upon said document in the adoption of this chapter.~~

A. ~~Effective as of the effective date of this Ordinance, through September 30, 2011, Section 803.1.2.2. of the Land Development Code is amended to read as follows (struck-through language to be deleted):~~

~~803.1.2.2. Roads Impact Fee. The Board of County Commissioners hereby imposes a Roads Impact Fee at the rates established pursuant to Section 803.3.1. (Fee Schedule) and Section 809.8. (Automatic Adjustment to Offset Inflation). The Transportation Impact Fee, previously levied pursuant to this chapter, is hereby incorporated into this Roads Impact Fee. Notwithstanding the foregoing, in response to the significant reduction in road construction costs resulting from economic recession, during the two-year, twenty-six-month period commencing July 27, 2009, and ending July 27, 2011-September 30, 2011, the Roads Impact Fee shall be levied at fifty percent (50%) of the rates established pursuant to Section 803.3.1, and shall not be adjusted for inflation during such period. Such reduced rates shall apply to any Impact-Generating Land Development for which:~~

- ~~a. On or after January 1, 2009, an application was submitted for the approval that would require the payment of Impact Fees pursuant to Section 803.1.3 (FSP, Building Permit, Administrative Permit, etc.), except in the case of development governed by Section 803.1.3.5, in which case application for a building permit must have been submitted on or after January 1, 2009; and~~
- ~~b. On or after July 27, 2009, the approval that would require the payment of Impact Fees pursuant to Section 803.1.3 (FSP, Building Permit, Administrative Permit, etc.), is issued, except in the case of development governed by Section 803.1.3.5, in which case a certificate of occupancy must be issued on or after July 27, 2009.~~

~~During the aforesaid two-year period the County shall conduct a study of the Roads Impact Fee, and at the end of such two-year period shall make such modifications to Section 803.3.1. as are necessary to assure that the rates established thereunder are based on the most recent and localized data in accordance with the requirements of Section 163.31801, Florida Statutes.~~

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B. Effective as of October 1, 2011, Section 802.1. of the Land Development Code is amended to read as follows (underlined language to be added; struck-through language to be deleted):

802.1. The Board of County Commissioners of Manatee County hereby finds that the document titled "IMPACT FEE RATE STUDY FOR ROADS, PARKS, PUBLIC SAFETY, AND LAW ENFORCEMENT IN MANATEE COUNTY, FLORIDA", prepared for Manatee County, Florida, by ~~TischlerBiseHenderson~~ Young & Company, and dated ~~October 25, 2006~~ May 19, 2011, is based upon the most recent and localized data and relies upon said document in the adoption of this chapter.

BC. Effective as of October 1, 2011, Section 803.1.2.2. of the Land Development Code is amended to read as follows (struck-through language to be deleted):

~~803.1.2.2. *Roads Impact Fee.* The Board of County Commissioners hereby imposes a Roads Impact Fee at the rates established pursuant to Section 803.3.1. (Fee Schedule) and Section 809.8. (Automatic Adjustment to Offset Inflation). The Transportation Impact Fee, previously levied pursuant to this chapter, is hereby incorporated into this Roads Impact Fee. Notwithstanding the foregoing, in response to the significant reduction in road construction costs resulting from economic recession, during the two year period commencing July 27, 2009, and ending July 27, 2011, the Roads Impact Fee shall be levied at fifty percent (50%) of the rates established pursuant to Section 803.3.1., and shall not be adjusted for inflation during such period. Such reduced rates shall apply to any Impact Generating Land Development for which:~~

~~a.c. On or after January 1, 2009, an application was submitted for the approval that would require the payment of Impact Fees pursuant to Section 803.1.3 (FSP, Building Permit, Administrative Permit, etc.); except in the case of development governed by Section 803.1.3.5., in which case application for a building permit must have been submitted on or after January 1, 2009; and~~

~~b.d. On or after July 27, 2009, the approval that would require the payment of Impact Fees pursuant to Section 803.1.3 (FSP, Building Permit, Administrative Permit, etc.), is issued, except in the case of development governed by Section 803.1.3.5., in which case a certificate of occupancy must be issued on or after July 27, 2009.~~

~~During the aforesaid two year period the County shall conduct a study of the Roads Impact Fee, and at the end of such two year period shall make such modifications to Section 803.3.1. as are necessary to assure that the rates established thereunder are based on the most recent and localized data in accordance with the requirements of Section 163.31801, *Florida Statutes.*~~

~~CD.~~ Effective as of October 1, 2011. Exhibit 8-1: Impact Fee Schedule, attached hereto, is hereby incorporated herein in its entirety as the amended and restated Figure 8-1 of Chapter 8 of the Land Development Code.

Section 4. Applicability. The amendments set forth in Sections ~~3, B.C. & D.~~ of this Ordinance shall apply to any Impact-Generating Land Development for which a building permit application is filed on or after ~~____, October 1, 2011,~~ and for which a certificate of occupancy is issued on or after ~~____, October 1, 2011.~~

Section 5. Codification. The publisher of the County's Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this ordinance into the Land Development Code.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Statutory Notice Requirement. Notice of the new and amended impact fees established pursuant to this ordinance shall be provided in accordance with the requirements of the Florida Impact Fee Act on or before ~~____, July 1, 2011.~~

Section 8. Effective Date. ~~Subject to compliance with Sections 125.66(2)(b) and 163.31801(3)(d), Florida Statutes, (T~~This Ordinance shall become effective ~~on July 17, 2011~~in accordance with applicable law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the 21st day of June, 2011.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: _____
Chairman

ATTEST: R.B. SHORE
Clerk of the Circuit Court

By: _____
Deputy Clerk

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EXHIBIT 8-1
IMPACT FEE SCHEDULE EFFECTIVE AS OF OCTOBER 1, 2011

	<u>County Wide Parks</u>	<u>Law Enforce- ment</u>	<u>Public Safety</u>	<u>Roads</u>	<u>Total County Fee</u>
IAL (Per Housing Unit)					
nily Detached					
edrooms	\$1,177.02	\$471.52	\$250.77	\$3,254.87	\$5,154.18
rooms	\$1,426.82	\$572.05	\$304.29	\$3,946.03	\$6,249.19
drooms	\$1,878.44	\$752.90	\$400.46	\$4,741.66	\$7,773.47
e/Duplex					
edrooms	\$1,042.81	\$604.91	\$254.09	\$1,542.90	\$3,444.71
drooms	\$1,528.61	\$886.29	\$372.19	\$1,918.80	\$4,705.90
ured Homes					
edrooms	\$505.12	\$258.25	\$166.25	\$1,183.82	\$2,113.44
drooms	\$612.32	\$313.59	\$201.88	\$1,436.30	\$2,564.09
Housing Types					
edrooms	\$702.43	\$320.34	\$180.71	\$1,627.06	\$2,830.54
drooms	\$1,101.19	\$502.49	\$283.48	\$2,272.27	\$4,159.42
ENTIAL (Per 1,000 sq ft unless otherwise stated)					
ial/Shop Ctr					
SF or less	n/a	\$516.23	\$127.96	\$7,152.15	\$7,796.34
- 100,000 SF	n/a	\$516.23	\$127.96	\$7,152.15	\$7,796.34
1 or more SF	n/a	\$516.23	\$127.96	\$7,152.15	\$7,796.34
SF or less					
- 50,000 SF	n/a	\$606.31	\$133.22	\$1,822.88	\$2,562.41
or more SF	n/a	\$606.31	\$133.22	\$1,822.88	\$2,562.41
ehouse					
e	n/a	\$165.13	\$77.05	\$414.29	\$656.47
ring	n/a	\$153.71	\$75.71	\$589.95	\$819.37
ustrial	n/a	\$127.12	\$74.43	\$426.16	\$627.71
ithout weekday school or day care)	n/a	\$141.97	\$75.81	\$776.46	\$994.24
ome (per bed)	n/a	\$234.10	\$91.92	\$1,508.02	\$1,834.04
(per student) **	n/a	\$183.72	\$637.96	\$2,126.39	\$2,948.07
School (High School, Middle School)	n/a	\$715.19	\$100.62	\$3,310.39	\$4,126.20
udent)	n/a	\$715.19	\$100.62	\$3,310.39	\$4,126.20
y School (per student)	n/a	\$715.19	\$100.62	\$3,310.39	\$4,126.20
er room, RV pad, or boat slip)	n/a	\$399.69	\$131.18	\$1,143.44	\$1,674.31



Manatee County Impact Fee Schedule for Unincorporated Areas July 27, 2009

NOTE: Does not include any adjustments for water or sewer fees. Contact the Manatee County Utilities Department for information on water and sewer fees.

	<u>County Wide Parks</u>	<u>Law Enforce- ment</u>	<u>Public Safety</u>	<u>Roads</u>	<u>Total County Fee</u>
RESIDENTIAL (Per Housing Unit)					
Single Family Detached					
0–2 bedrooms	\$801.00	\$692.00	\$150.00	\$2,893.50	\$4,536.50
3 bedrooms	\$971.00	\$839.00	\$182.00	\$3,506.50	\$5,498.50
4+ bedrooms	\$1,277.00	\$1,104.00	\$240.00	\$4,210.50	\$6,831.50
Townhouse/Duplex					
0–2 bedrooms	\$783.00	\$677.00	\$147.00	\$2,977.50	\$4,584.50
3+ bedrooms	\$1,147.00	\$992.00	\$216.00	\$3,698.50	\$6,053.50
Manufactured Homes					
0–2 bedrooms	\$592.00	\$511.00	\$111.00	\$2,633.50	\$3,847.50
3+ bedrooms	\$927.00	\$801.00	\$174.00	\$3,674.00	\$5,576.00
All Other Housing Types					
0–2 bedrooms	\$592.00	\$511.00	\$111.00	\$2,633.50	\$3,847.50
3+ bedrooms	\$927.00	\$801.00	\$174.00	\$3,674.00	\$5,576.00
NONRESIDENTIAL (Per 1,000 sq ft unless otherwise stated)					
Commercial/Shop Ctr					
50,000 SF or less	n/a	\$992.00	\$74.36	\$9,284.50	\$10,350.86
50,001 - 100,000 SF	n/a	\$829.00	\$65.00	\$7,754.00	\$8,648.00
100,001 or more SF	n/a	\$603.00	\$52.00	\$5,640.50	\$6,295.50
Business Park	n/a	\$155.00	\$82.16	\$2,441.00	\$2,678.16
Office					
25,000 SF or less	n/a	\$339.00	\$107.90	\$5,319.00	\$5,765.90
25,001 - 50,000 SF	n/a	\$289.00	\$101.66	\$4,536.50	\$4,927.16
50,001 or more SF	n/a	\$246.00	\$95.94	\$3,866.50	\$4,208.44
Hospital	n/a	\$325.00	\$87.88	\$5,093.00	\$5,505.88
Mini-Warehouse	n/a	\$46.00	\$1.04	\$724.50	\$771.54
Warehouse	n/a	\$91.00	\$33.28	\$1,420.50	\$1,544.78
Manufacturing	n/a	\$70.00	\$46.54	\$1,094.00	\$1,210.54
Light Industrial	n/a	\$128.00	\$60.06	\$1,996.00	\$2,184.06
Church (without weekday school or day care)	n/a	\$46.00	\$1.04	\$724.50	\$771.54
Nursing Home (per bed)	n/a	\$43.00	\$9.36	\$687.00	\$739.36
Day Care (per student) **	n/a	\$39.00	\$4.16	\$512.00	\$555.16
Secondary School (High School, Middle School) (per student)	n/a	\$22.00	\$2.34	\$293.00	\$317.34
Elementary School (per student)	n/a	\$15.00	\$2.08	\$202.50	\$219.58
Lodging (per room, RV pad, or boat slip)	n/a	\$104.00	\$11.44	\$1,632.00	\$1,747.44

** Rate applies to day care centers that do not provide bus transport for their students. Day care centers providing bus transport will be assessed at the elementary school rate, per administrative interpretation of Manatee County's most recent impact fee study.



Manatee County Impact Fee Schedule for Unincorporated Areas October 1, 2011

NOTE: Does not include any adjustments for water or sewer fees. Contact the Manatee County Utilities Department for information on water and sewer fees.

	<u>County Wide Parks</u>	<u>Law Enforce- ment</u>	<u>Public Safety</u>	<u>Roads</u>	<u>Total County Fee</u>
RESIDENTIAL (Per Housing Unit)					
Single Family Detached					
0–2 bedrooms	\$1,177.02	\$471.52	\$250.77	\$3,254.87	\$5,154.18
3 bedrooms	\$1,426.82	\$572.05	\$304.29	\$3,946.03	\$6,249.19
4+ bedrooms	\$1,878.44	\$752.90	\$400.46	\$4,741.66	\$7,773.47
Townhouse/Duplex					
0–2 bedrooms	\$1,042.81	\$604.91	\$254.09	\$1,542.90	\$3,444.71
3+ bedrooms	\$1,528.61	\$886.29	\$372.19	\$1,918.80	\$4,705.90
Manufactured Homes					
0–2 bedrooms	\$505.12	\$258.25	\$166.25	\$1,183.82	\$2,113.44
3+ bedrooms	\$612.32	\$313.59	\$201.88	\$1,436.30	\$2,564.09
All Other Housing Types					
0–2 bedrooms	\$702.43	\$320.34	\$180.71	\$1,627.06	\$2,830.54
3+ bedrooms	\$1,101.19	\$502.49	\$283.48	\$2,272.27	\$4,159.42
NONRESIDENTIAL (Per 1,000 sq ft unless otherwise stated)					
Commercial/Shop Ctr					
50,000 SF or less	n/a	\$516.23	\$127.96	\$7,152.15	\$7,796.34
50,001 - 100,000 SF	n/a	\$516.23	\$127.96	\$7,152.15	\$7,796.34
100,001 or more SF	n/a	\$516.23	\$127.96	\$7,152.15	\$7,796.34
Office					
25,000 SF or less	n/a	\$606.31	\$133.22	\$1,822.88	\$2,562.41
25,001 - 50,000 SF	n/a	\$606.31	\$133.22	\$1,822.88	\$2,562.41
50,001 or more SF	n/a	\$606.31	\$133.22	\$1,822.88	\$2,562.41
Hospital	n/a	\$490.03	\$101.03	\$2,734.32	\$3,325.38
Mini-Warehouse	n/a	\$165.13	\$77.05	\$414.29	\$656.47
Warehouse	n/a	\$153.71	\$75.71	\$589.95	\$819.37
Manufacturing	n/a	\$127.12	\$74.43	\$426.16	\$627.71
Light Industrial	n/a	\$141.97	\$75.81	\$776.46	\$994.24
Church (without weekday school or day care)	n/a	\$234.10	\$91.92	\$1,508.02	\$1,834.04
Nursing Home (per bed)	n/a	\$183.72	\$637.96	\$2,126.39	\$2,948.07
Day Care (per student) **	n/a	\$715.19	\$100.62	\$3,310.39	\$4,126.20
Secondary School (High School, Middle School) (per student)	n/a	\$715.19	\$100.62	\$3,310.39	\$4,126.20
Elementary School (per student)	n/a	\$715.19	\$100.62	\$3,310.39	\$4,126.20
Lodging (per room, RV pad, or boat slip)	n/a	\$399.69	\$131.18	\$1,143.44	\$1,674.31

IMPACT FEE RATE STUDY

FOR

**ROADS,
PARKS,
PUBLIC SAFETY,
AND
LAW ENFORCEMENT**

IN

MANATEE COUNTY, FLORIDA



Henderson
Young &
Company

May 26, 2011

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INTRODUCTION

Purpose

This study presents impact fees for four types of public facilities in Manatee County, Florida: roads, parks, public safety and law enforcement.

Impact fees are charges paid by new development to reimburse local governments for the capital cost of public facilities that are needed to serve new development and the people who occupy the new development.

Local governments charge impact fees for several reasons: 1) to obtain revenue to pay for some of the cost of new public facilities, 2) to implement a public policy that new development should pay a portion of the cost of facilities that it requires, and that existing development should not pay all of the cost of such facilities, and 3) to assure that public facilities will be constructed concurrently with development.

This study of impact fees for Manatee County (1) describes the methodology that is used to develop the fees, (2) presents the formulas, variables and data that is the basis for the fees, and (3) documents the calculation of the fees. The methodology is designed to comply with the requirements of court cases and statutes of the State of Florida.

Organization of the Study

The study contains five chapters:

Chapter 1, this introduction, summarizes the rules for developing impact fees that have resulted from several court cases and Florida statutes.

Chapters 2 – 5 document the impact fees for roads, parks, public safety and law enforcement. Each chapter includes an explanation of the

methodology, data, assumptions, formulas, variables, and the calculation of the impact fees.

Rules for Developing Impact Fees

There are several significant court cases that guide the development of impact fees in Florida. The following three cases affect impact fees for Manatee County: Contractors and Builders Association of Pinellas County v. City of Dunedin, 329 So.2d 314 (Fla. 1976); Hollywood, Inc. v. Broward County, 431 So.2d 606 (Fla. 4th DCA 1983); and Home Builders and Contractors Association of Palm Beach County, Inc. v. Board of County Commissioners of Palm Beach County, 446 So.2d 140 (Fla. 4th DCA 1983). The Local Government Comprehensive Planning and Land Development Regulation Act (1985, amended 1986 and 1993) and F.S. 163.31801 also touch on some aspects of impact fees.

The court cases and legislation provide direction in four broad areas of the development of impact fees: (1) who pays, and how much (the "fair share" rules), (2) where and how the fee can be used (the "nexus of benefit" rules), (3) offsets against the fee (the "credits" rules), and (4) sources of data used to calculate the fee (the "most recent and local data" rule).

1. Fair Share Rules

The fair share rules provide that impact fees can be charged only for the portion of the cost of public capital facilities that is attributable to new growth. Impact fees cannot be charged to pay for the cost of reducing or eliminating deficiencies in existing facilities. Within this broad rule, specific guidance is given in several areas:

- It is permitted to distinguish among different types of growth in establishing fee amounts (i.e., impact fee rates can be based on the

type of land use, such as residential, retail, office, commercial, industrial, and other types of construction)

- Fee-payers should be able to pay a smaller fee if they can demonstrate that their development will have less impact than is presumed in the calculation of the impact fee schedule for their classification of property and such reduced needs must be permanent and enforceable (i.e., through land use restrictions).
- Costs of facilities that will be used by new growth and existing users must be apportioned between the two groups in determining the amount and expenditure of the fee, or the cost charged to impact fees must be based on levels of service so that new and existing development are provided equal levels of service (thus insuring that new development does not pay for existing development's share of facility costs).

2. Nexus of Benefit Rules

The nexus of benefit rules require a reasonable connection (1) between the need for public capital facilities and the growth from the fee-paying development, and (2) between the expenditure of fee revenue and the benefits received by the fee-paying development.

There are many ways that the nexus of benefit can be established, including personal use and use by others in the family or business (direct benefit), use by persons who provide goods or services to the fee-paying property (indirect benefit), and geographical proximity (presumed benefit).

Where possible, there should be a geographical relationship, but there is no specific limit on the distance between a fee-paying development and a public capital facility that is built with the impact fees. Some impact fees are collected and expended within service areas that are smaller than the jurisdiction that is collecting the fees in order to meet the nexus of benefit requirement regarding the relationship between impact fees and the development that pays (and benefits from) the fees. Other impact fees do not

use service areas because such "districts" are not necessary to establish the relationship between the fee and the development.

Another issue that affects the nexus of benefits for impact fees is the type of property that receives the benefits (residential or non-residential). Impact fees are charged to properties that benefit from such facilities. Roads, public safety and law enforcement facilities benefit all types of land uses, therefore those impact fees are charged to all types of land uses. Parks are primarily for the benefit of residential property, therefore park impact fees are charged only to residential land uses.

Another nexus of benefit requirement is that fee revenue must be expended within a reasonable period of time after it is paid, but there is no specific maximum limit that applies to all impact fee expenditures. If the local government fails to expend the impact fee payments within a reasonable period of time of receipt of such payments the developer can obtain a refund of the impact fees.

Fee revenue must be earmarked for specific uses related to the type of public capital facilities for which the impact fee was charged.

In general, explicit limitations on the use of fees must be adequate to guide government personnel to produce the required nexus of benefits.

3. Credits Rules

The credits rules reduce impact fees in two ways. First, the fees calculated in this study reflect reductions of project costs by the amount of other revenues that the County will use for the same public capital facilities that are the basis for the impact fee for new development. Second, a fee-payer may have the amount of impact fees reduced to reflect contributions of land, cash, facilities, or other assets that meet the same need as the fee. The first credit is included in

basis
the calculations in this study, but the second credit is calculated on a case-by-case basis at the time the impact fee is due.

The court cases and legislation do not prohibit the government from establishing reasonable constraints on determining credits. In particular, the government should require that the quality of a donated public facility conforms to adopted County standards for such facilities, or at least be comparable to similar County facilities. The government should also require a rational nexus of benefit between a contribution and the fee-paying property that receives a credit.

4. Most Recent and Local Data Rule

The data in this study of impact fees in Manatee County, Florida was provided by Manatee County, unless a different source is specifically cited.

The data source rule is derived from F.S. 163.31801 (3) (a), "... the calculation of the impact fee [is required to] be based on the most recent and localized data." In order to fulfill this requirement, this impact fee rate study used the most recent data available from Manatee County at the time the research was assembled and analyzed for this impact fee rate study.

Data Rounding

The data in this study was prepared using computer spreadsheet software. In some tables in this study, there will be very small variations from the results that would be obtained using a calculator to compute the same data. The reason for these insignificant differences is that the spreadsheet software was allowed to calculate results to more places after the decimal than is reported in the tables of these reports. The calculation to extra places after the

decimal increases the accuracy of the end results, but causes occasional differences due to rounding of data that appears in this study.

ROADS IMPACT FEES

There are five steps to determine the amount of impact fees for roads that are required as a result of new development. The roads impact fee is calculated so that road capacity for new development maintains the same level of service that the County provides for the current population.

1. Cost per Lane Mile of Road

Impact fees pay for the capital cost of roads. Table 1 lists Manatee County's most recent road projects, including the cost and number of lane miles¹ of each project. The total cost of all projects is divided by the total lane miles of all projects and the result is the average cost per lane mile that will be used to calculate the updated roads impact fee.

Table 1: Cost per Lane Mile

Road	From - To	Year	Total Cost	Lane Miles
Honore Ave Extension	39 St E to Mote Ranch	2008	\$ 9,085,184	3.0
57 Ave W	US 41 to 15 St E	2010	12,823,258	3.6
17 St W	US 41 to Canal Rd	current	10,839,358	2.8
17 St E	US 41 to Business 41	current	8,169,249	1.4
US 301	Old Tampa Rd/Erie Rd to CR 675	current	22,664,955	16.4
75 St W	53 Ave W to Cortez Rd	current	919,184	3.5
Total:			<u>64,501,188</u>	<u>30.7</u>
Average Cost per lane mile			\$ 2,101,016	

2. Credit for Other Revenue

Impact fees must be reduced by a "credit" for future taxes and revenues (other than impact fees) that will be paid by new development to pay for the

¹ A lane mile is one lane of road that is one mile long. A 4-lane road that is 2 miles long has 8 lane miles.

roads needed by growth. The revenue credit calculation ensures that new development does not pay twice for the same benefit (i.e., it does not pay impact fees for new roads, and also pay taxes or other fees for the same roads).

The only revenue sources that are required to be credited are those that are available and applied, as a matter of County policy, to road capital improvements for new development. Credits are not given for revenues that are used for the following costs because impact fees are not used for such expenses:

- Repair or maintenance costs
- Capital purposes other than capacity (i.e., safety, resurfacing, etc.)
- To eliminate existing deficiencies in road capacity

The credit for other sources of revenue for the roads impact fee is calculated by determining the dollar amount of future bond debt service payments and future gas taxes that the County will use for growth-related road projects. Table 2 lists the future payments of debt service and gas taxes, and calculates the credit amount per trip for each future year. The total credit for future payments are discounted to present value because the credit is received “up front” at the time the impact fee is paid, but the County will not receive the debt service payments and gas taxes until future years.

Table 2: Credit for Other Revenues

Year	Average Weekday Trips	2004 Bond Principal Payments	Bond Credit per Trip	Gas Taxes for Capacity Projects	Gas Tax Credit per Trip	Total Credit per Trip
2011	1,265,657	3,400,000	2.69	3,312,618	2.62	5.31
2012	1,297,013	3,515,000	2.71	11,368,873	8.77	11.48
2013	1,328,108	2,670,000	2.01	2,000,000	1.51	3.52
2014	1,359,161	2,800,000	2.06	2,046,763	1.51	3.57
2015	1,390,558	2,945,000	2.12	2,094,044	1.51	3.63
2016	1,421,611	3,090,000	2.17	2,140,807	1.51	3.68
2017	1,452,955	3,245,000	2.23	2,188,008	1.51	3.74
2018	1,484,128	3,385,000	2.28	2,234,952	1.51	3.79
2019	1,515,181	3,555,000	2.35	2,281,714	1.51	3.86
2020	1,546,500	3,735,000	2.42	2,328,878	1.51	3.93
2021	1,577,651			6,297,539	3.99	3.99
2022	1,608,845			6,422,053	3.99	3.99
2023	1,640,038			6,546,567	3.99	3.99
2024	1,671,231			6,671,081	3.99	3.99
2025	1,702,424			6,795,595	3.99	3.99
2026	1,733,617			6,920,110	3.99	3.99
2027	1,764,810			7,044,624	3.99	3.99
2028	1,796,003			7,169,138	3.99	3.99
2029	1,827,197			7,293,652	3.99	3.99
2030	1,858,390			7,418,166	3.99	3.99
2031	1,889,583			7,542,681	3.99	3.99
Total		32,340,000	23.04	108,117,862	67.36	90.40
Discount Rate						3.58%
Present Value of Credit						64.64

One other potential "credit" against impact fees is for donations by developers of land or improvements for roads. These credits, which reduce the amount of impact fee that is due from developers who make such donations, are in addition to the credit for other revenues described above. They depend upon specific arrangements between the County and individual developers, and are calculated on a case-by-case basis at the time impact fees are to be paid.

3. Cost per Trip Mile

The next component in the roads impact fee is the cost per trip mile². Table 3 presents this calculation in two parts.

First, the average cost per lane mile from Table 1 is divided by the number of vehicle trips that can be accommodated by a lane mile of road³. The result is the total road cost per trip mile.

Second, the total cost per trip mile is reduced by the revenue credit from Table 2. The result is the net cost per trip mile.

Table 3: Cost per Trip Mile

Cost per Lane Mile	\$ 2,101,016
Trip Capacity per Lane Mile	<u>7,470</u>
Road Cost per Trip Mile	281.26
Revenue Credit per Trip Mile	<u>64.64</u>
Net Cost per Trip Mile	216.62

4. Trip Generation

The next component of the roads impact fee is trip generation rates. Trip generation data is not usually researched by individual local governments because there are too many variables and the cost of the research is prohibitive. Furthermore, there is a national data source that compiles local surveys of trip origins and destinations and calculates trip generation rates for dozens of land use categories for a variety of variables, such as units of development, number of employees, hour of day, etc. The national source is Trip Generation, compiled and published by the Institute of Transportation Engineers (ITE). The report is currently in its 8th edition. The ITE data is the largest

² A trip mile is one vehicle trip on one lane mile of road.

³ The trip capacity corresponds to Manatee County's level of service "D" on County roads. The amount of that capacity is from the Florida Department of Transportation.

body of trip generation data collected using consistent methodology, and it is the primary source of trip generation data used in virtually every impact fee study in Florida and the United States.

The national data in ITE is an appropriate source of information for Manatee County's impact fee. We conducted a validation test with the County's traffic model and determined that the national ITE trip generation rates accurately forecast the number of trips in the County's traffic model.

Impact fee rates are calculated in this study for many frequently used types of land use (i.e., dwellings, retail, offices, industrial, etc.). Impact fees can be calculated for other land uses not listed in this rate study by referring to the data in the ITE report. The data used in Manatee County's traffic model and impact fee is for the average weekday trip data because the County's level of service standard is based on the average weekday trips. Table 4 lists the trip generation rates for a variety of land use categories.

Trip generation data is reported initially as the total number of trips leaving and arriving at each type of land use⁴. There are two adjustments made to each trip generation rate before it is used to calculate the impact fee.

The first adjustment is to reduce the ITE trip generation rates by 50% in order to charge impact fees for trips generated by each land use, but not to charge for trips attracted to each land use (because the attracted trip was generated by another land use, and that impact was assigned to the impact fees for trips generated by the other land use).

The second adjustment is to reduce the number of trips charged to land uses that are incidental generators of trips. For example, if a person leaves work

⁴ Some of the trip generation rates in Table 4 are averages of several ITE categories of the same type. For example, schools is the average of elementary, middle and high school rates, and lodging is the average of hotel and motel rates.

to return home at the end of the workday, the place of employment is the origin (generator), and the home is the destination (attractor). But if the person stops enroute to run an errand at a store, the ITE data counts the stop at the store as a new destination (and a new origin when the person leaves the store). In reality, the work-to-home trip was going to occur regardless of the incidental stop, therefore the trip rate of the store should not be charged as an additional impact on the road system. The adjustment is based on the number of "pass-by" trips that stop at the store instead of "passing by." These trips are eliminated by counting only the trips that are truly "new" trips (i.e., a person made a special trip to the store). The adjustment is shown in Table 4 as "Percent New Trips." The source is ITE Trip Generation Handbook (2004), 2nd Edition. The only land use with pass-by trip adjustment is commercial/shopping center.

Table 4: Trip Generation Rates

ITE Code	ITE Land Use Category	ITE Trip Generation Rate	ITE Trip Origin @ 50%	% New Trips	Net New Trips per Unif of Measure
RESIDENTIAL (Per Housing Unit)					
210	Single family house				
	0 - 2 bedrooms	8.12	4.05	100%	4.05
	3 bedrooms	9.83	4.91	100%	4.91
	4+ bedrooms	11.81	5.90	100%	5.90
230	Townhouse/Duplex				
	0 - 2 bedrooms	5.51	2.75	100%	2.75
	3+ bedrooms	6.84	3.42	100%	3.42
240	Manufactured Homes				
	0 - 2 bedrooms	4.23	2.11	100%	2.11
	3+ bedrooms	5.12	2.56	100%	2.56
other	All Other Housing Types				
	0 - 2 bedrooms	5.80	2.90	100%	2.90
	3+ bedrooms	8.11	4.05	100%	4.05
NONRESIDENTIAL (Per 1,000 sq ft unless otherwise stated)					
820	Commercial/Shop Ctr	42.94	21.47	66%	14.17
710	Office	11.01	5.50	100%	5.50
610	Hospital	16.50	8.25	100%	8.25
151	Mini-warehouse	2.50	1.25	100%	1.25
150	Warehousing	3.56	1.78	100%	1.78
140	Manufacturing	3.82	1.91	100%	1.91
110	Light Industrial	6.97	3.48	100%	3.48
560	Church	9.11	4.55	100%	4.55
620	Nursing home	7.58	3.79	100%	3.79
520	Schools	14.03	7.01	100%	7.01
320	Lodging (per room)	6.90	3.45	100%	3.45

5. Impact Fee Rates

Impact fee rates for each type of land use are calculated as follows:

First, the trip length factor⁵ in the first column of data in Table 5 is multiplied by the average 2.95 miles for all trips and the result is the trip miles for an average trip for each land use (listed in the second column of data).

Next, the trip miles for an average trip are multiplied by the number of additional trips generated by each type of land use (from Table 4). The result is the net new trip miles per unit of measure for each land use⁶.

Finally, the net new trip miles are multiplied by the cost per trip mile (from Table 3). The result is the impact fee rate for each type of land use.

Table 5: Miles per Trip, Trip Miles, and Impact Fee Rates

ITE Code	ITE Land Use Category	Trip Length Factor	Trip Miles @ 2.95 Miles Per Trip	Net New Trip Miles Per Unit of Measure	Impact Fee Rates @ \$216.17 per Trip Mile
RESIDENTIAL (Per Housing Unit)					
210	Single family house				
	0 - 2 bedrooms	1.26	3.71	15.03	\$ 3,254.87
	3 bedrooms	1.26	3.71	18.22	3,946.03
	4+ bedrooms	1.26	3.71	21.89	4,741.66
230	Townhouse/Duplex				
	0 - 2 bedrooms	0.88	2.59	7.12	1,542.90
	3+ bedrooms	0.88	2.59	8.86	1,918.80
240	Manufactured Homes				
	0 - 2 bedrooms	0.88	2.59	5.46	1,183.82
	3+ bedrooms	0.88	2.59	6.63	1,436.30
—	All Other Housing Types				
	0 - 2 bedrooms	0.88	2.59	7.51	1,627.06
	3+ bedrooms	0.88	2.59	10.49	2,272.27

⁵ The trip length factor is from Manatee County's traffic model. It is the ratio of the average trip length for a specific type of land use to the average length of all trips.

⁶ The unit of measure for residential land uses is a "housing unit". The unit of measure for nonresidential land uses is 1,000 square feet (except lodging, which is measured per room).

ITE Code	ITE Land Use Category	Trip Length Factor	Trip Miles @ 2.95 Miles Per Trip	Net New Trip Miles Per Unit of Measure	Impact Fee Rates @ \$216.17 per Trip Mile
NONRESIDENTIAL (Per 1,000 sq ft unless otherwise stated)					
820	Commercial/Shop Ctr	0.79	2.33	33.02	7,152.15
710	Office	0.52	1.53	8.42	1,822.88
610	Hospital	0.52	1.53	12.62	2,734.32
151	Mini-warehouse	0.52	1.53	1.91	414.29
150	Warehousing	0.52	1.53	2.72	589.95
140	Manufacturing	0.35	1.03	1.97	426.16
110	Light Industrial	0.35	1.03	3.58	776.46
560	Church	0.52	1.53	6.96	1,508.02
620	Nursing home	0.88	2.59	9.82	2,126.39
520	Schools	0.74	2.18	15.28	3,310.39
320	Lodging (per room)	0.52	1.53	5.28	1,143.44

The total impact fee for a proposed development is calculated by multiplying the size of the development (i.e., square feet, dwellings, etc.) by the impact fee rate per unit (from Table 5). Developments that have more than one land use have their impact fees calculated separately for each type of land use.

PARKS IMPACT FEES

There are three steps to determine the amount of impact fees for parks and recreational facilities that are required as a result of new development. The parks impact fee is calculated so that new development will match the same level of investment per person in parks and recreational facilities that the County provides for the current population.

1. Value of Existing Parks and Recreational Facilities

The first step is to determine the current value of the existing parks and recreational facilities. Table 6 contains a detailed list of the many types of parks and recreational facilities owned by Manatee County. Each entry includes the type of asset, the unit of measure, the number of units in the current inventory and the average cost of one unit of each asset. The final column contains the current value that is the result of multiplying the number of units in the inventory by the average cost per unit of facility. The total value of all the parks and recreational facilities is near the end of Table 6. Below the total value is the current population, and the value per person.

Table 6: Current Value of Existing Park and Recreational Facilities

Type of Asset	Unit	Inventory	Average Cost per Facility	Current Value (Inventory x Average Cost)
Park Land	acre	1,342	\$ 50,156.00	\$ 67,309,352.00
Natural Resources Land	acre	6,101	8,007.37	48,852,964.37
Aquatic Center (E Bradenton)	sq ft	2,784	173.24	482,300.16
Aquatic Center (G. T. Bray)	center	1	6,500,000.00	6,500,000.00
Backstop on Softball Field	backstop	1	6,500.00	6,500.00
Baseball Fields (regulation) lighted	field	6	306,073.00	1,836,438.00
Basketball Court(8,400 sq ft)	court	1	37,465.00	37,465.00
Basketball Court lighted	court	17	105,385.00	1,791,545.00
Basketball Court, unlighted	court	1	23,450.00	23,450.00

Type of Asset	Unit	Inventory	Average Cost per Facility	Current Value (Inventory x Average Cost)
Batting Cage, unlighted	cage	14	12,700.00	177,800.00
Batting Cage, lighted	cage	10	51,790.00	517,900.00
Bench, wooden	bench	37	535.00	19,795.00
Bench, black vinyl	bench	133	850.00	113,050.00
Bench, IPE	bench	22	975.00	21,450.00
Bike Access	linear foot	2,440	1.76	4,294.40
Bike Racks	rack	8	698.85	5,590.80
Bleacher, 3 row, aluminum	bleacher	3	1,979.99	5,939.97
Bleacher, 5 row aluminum	bleacher	89	5,299.99	471,699.11
Bleacher, 10 row, steel	bleacher	2	10,599.98	21,199.96
Bleacher, 5 row steel/wood	bleacher	2	5,299.99	10,599.98
Boardwalk	boardwalk	1	16,200.00	16,200.00
Boat Ramp, single	boatramp	7	299,834.00	2,098,838.00
Boat Ramp, double	double ramp	1	348,022.00	348,022.00
Bocce Ball Building	sq ft	1,474	173.24	255,355.76
Bocce Ball Courts	court	2	25,000.00	50,000.00
Bollards, wooden	bollard	5,932	43.40	257,448.80
Botanical Garden (Palma Sola)	garden	1	81,433.45	81,433.45
Brick Pavers	sq ft	22,916	7.00	160,412.00
Bus Turnaround	sq yd	1,909	50.00	95,450.00
Café/Restroom/Gift Shop	sq ft	14,625	94.60	1,383,525.00
Canine Park (large)	park	2	129,440.00	258,880.00
Canine Park (small)	park	1	72,025.00	72,025.00
Canoe Launch	launch	1	1,500.00	1,500.00
Canoe/Kayak Launch	launch	2	1,500.00	3,000.00
Car Stops	stop	938	40.00	37,520.00
Cart Barn	sq ft	11,290	94.60	1,068,034.00
Club House	sq ft	10,270	94.60	971,542.00
Community Center (Myakka)	sq ft	7,675	173.24	1,329,617.00
Concessions	sq ft	33,342	94.60	3,154,153.20
Concrete Pad	pad	6	varies	11,760.44
Concrete Slab	sq yd	2,525	30.00	75,750.00
Curb	sq linear ft	7,040	25.00	176,000.00
Dock	dock	10	7,000.00	70,000.00
Driving Range	range	2	250,000.00	500,000.00
Enclosures	sq ft	1,344	18.75	25,200.00
Exercise Station	station	6	5,000.00	30,000.00
Fish Cleaning Table	table	6	349.86	2,099.16
Fishing Pier	pier	2	9,720.00	19,440.00
Football Field, lighted	field	3	191,374.00	574,122.00

Type of Asset	Unit	Inventory	Average Cost per Facility	Current Value (Inventory x Average Cost)
Football Storage/Press Box	sq ft	700	94.60	66,220.00
Footwash	footwash	1	3,650.00	3,650.00
Gazebo	gazebo	3	25,000.00	75,000.00
Gift Shop	sq ft	2,304	94.60	217,958.40
Golf Course	18 hole course	2	1,400,000.00	2,800,000.00
Grills	grill	65	480.00	31,200.00
Gym/Recreation Center (G. T. Bray)	sq ft	17,762	173.24	3,077,088.88
Historic School	sq ft	10,989	500.00	5,494,500.00
Horseshoe Court	court	3	860.00	2,580.00
Irrigation-basic landscaping	project	5	60,950.00	304,750.00
Little League Field, lighted	field	12	204,575.00	2,454,900.00
Maintenance Building/Facility	sq ft	18,260	94.60	1,727,396.00
Maintenance Facility w/Restrooms	sq ft	8,988	94.60	850,264.80
Multi Purpose Field	field	1	25,840.00	25,840.00
Multi Purpose Trail - concrete	sq yd	2,729	25.00	68,225.00
Multi-Purpose Trall - Asphalt	sq yd	15,167	50.00	758,350.00
Open Play Field	field	3	25,840.00	77,520.00
Open Play Field (Backstop)	field	1	32,340.00	32,340.00
Parking Area Asphalt	sq yd	41,954	62.85	2,636,808.90
Parking, shell	sq yd	85,499	50.00	4,274,950.00
Pavilion	sq ft	17,855	67.70	1,208,783.50
Pavilion with Restroom	sq ft	7,615	73.22	557,570.30
Pavilion: Dog Park	each	1	2,520.00	2,520.00
Picnic Table, wooden	table	296	378.00	111,888.00
Picnic Table, vinyl	table	138	688.00	94,944.00
Playground, large	playground	6	118,695.00	712,170.00
Playground, medium	playground	14	58,818.00	823,452.00
Playground, small	playground	8	45,000.00	360,000.00
Pool, wading	pool	1	29,000.00	29,000.00
Pool	pool	1	1,200,000.00	1,200,000.00
Press Box	sq ft	691	94.60	65,368.60
Racquet Ball Court, 3 wall, unlighted	sq ft	6,400	152.86	978,304.00
Racquet Ball Court, 4 wall, lighted	sq ft	2,058	152.86	314,585.88
Recycle Container	container	5	900.00	4,500.00
Remote Control Race track	track	1	34,850.00	34,850.00
Restroom	sq ft	13,216	94.60	1,250,233.60
Restroom, ADA	sq ft	604	94.60	57,138.40
Restroom (remote), Golf Course	building	4	175,000.00	700,000.00
Shower, outside	shower	10	3,650.50	36,505.00

Type of Asset	Unit	Inventory	Average Cost per Facility	Current Value (Inventory x Average Cost)
Sidewalk, concrete	sq yd	1,938	25.00	48,450.00
Sign/Kiosk	sign	1	1,800.00	1,800.00
Skate Park (Blackstone & G. T. Bray)	park	2	395,000.00	790,000.00
Soccer Field, regulation, lighted	field	12	191,374.00	2,296,488.00
Soccer Field, regulation, unlighted	field	8	86,000.00	688,000.00
Soccer, Football Field, unlighted	field	3	86,000.00	258,000.00
Softball Field, lighted	field	10	204,573.00	2,045,730.00
Softball Field, unlighted	field	6	105,000.00	630,000.00
Splash Park (Pride & G. T. Bray)	sq ft	5,050	155.00	782,750.00
Storage facility	sq ft	2,576	94.60	243,689.60
Swing Set	set	5	5,621.98	28,109.90
Tee Ball Field, unlighted	field	2	105,000.00	210,000.00
Tennis Court, lighted, hard surface	court	31	49,365.00	1,530,315.00
Tennis Court, unlighted, asphalt	court	2	36,170.00	72,340.00
Trash Receptacles, wooden	receptacle	362	100.00	36,200.00
Trash Receptacles, vinyl	receptacle	191	361.60	69,065.60
Trash Receptacle, IPE	receptacle	4	950.00	3,800.00
Trash Receptacle, metal	receptacle	2	361.00	722.00
Trash Receptacle Recycle Bin	receptacle	6	950.00	5,700.00
Trolley Stop/Shelter/Bench	stop	5	16,400.00	82,000.00
Volleyball Court, sand	court	7	8,200.00	57,400.00
Water Fountain, pedestal, chilled	fountain	6	4,245.00	25,470.00
Water Fountain, pedestal, unchilled	fountain	1	2,365.00	2,365.00
Water Fountain, wall mounted, unchilled	fountain	25	675.00	16,875.00
Water Fountain, wall mounted, chilled	fountain	17	739.11	12,564.87
Well House	sq ft	15	94.60	1,419.00
Wooden Dumpster Enclosure	sq ft	3,922	9.65	37,847.30
Total Value of Current Parks and Recreational Facilities				184,835,118.09
Current Population				322,833
Value per Person				572.54

2. Credit for Other Revenue

Impact fees must be reduced by a "credit" for future taxes and revenues (other than impact fees) that will be paid by new development for capacity needed to accommodate growth. The revenue credit calculation ensures that

new development does not pay twice for the same benefit (i.e., it does not pay impact fees for new parks, and also pay taxes or other fees for the same parks).

The discussion and methodology of revenue credits in the road impact fee chapter applies to the revenue credit for park impact fees, but the credit for parks is based on different revenues.

The credit for other sources of revenue for the parks impact fee is calculated by determining the dollar amount of future debt service payments for a 1999 bond that the County uses for parks projects that can serve growth. Table 7 lists the future payments, and calculates the credit amount per person for each future year. The credits for future payments are discounted to present value because the credit is received "up front" at the time the impact fee is paid, but the County will not receive the property taxes or debt service payments until future years.

Table 7: Credit for Other Revenues

Year	Population	Series 1999 Park Projects	Principal Payment per Person
2011	325,450	\$ 107,612	\$ 0.33
2012	328,087	107,612	0.33
2013	330,746	107,612	0.33
2014	333,427	107,612	0.32
2015	336,130		
Discount Rate			4.90%
Present Value of Credit			\$ 1.16

Source: TischlerBise, October 25, 2006; population data updated by Henderson, Young & Company

3. Impact Fee Rates

Impact fee rates for each type of residential land use are calculated in Table 8. Park impact fees are not charged to nonresidential development because of the lack of an objective quantifiable nexus between parks and nonresidential development.

The calculation of impact fee rates begins by subtracting the credit per person (from Table 7) from the value per person (from Table 6). The resulting net value of parks and recreational facilities per person is multiplied by the average number of persons per dwelling unit for each type and size of dwelling unit. The result is the impact fee rate for each type of dwelling unit.

Table 8: Net Value per Person and Impact Fee Rates

Description	Data	
Value per Person	\$ 572.54	
Total Credit Per Person	1.16	
Net Value per Person	571.38	

Type of Dwelling Unit	Average Persons per Dwelling Unit	Impact Fee per Dwelling Unit
Single family house		
0 - 2 bedrooms	2.06	\$ 1,177.02
3 bedrooms	2.50	1,426.82
4+ bedrooms	3.29	1,878.44
Townhouse/Duplex		
0 - 2 bedrooms	1.83	1,042.81
3+ bedrooms	2.68	1,528.61
Manufactured Homes		
0 - 2 bedrooms	0.88	505.12
3+ bedrooms	1.07	612.32
All Other Housing Types		
0 - 2 bedrooms	1.23	702.43
3+ bedrooms	1.93	1,101.19

The total impact fee for a proposed development is calculated by multiplying the size of the development (i.e., number of dwellings) by the impact fee rate per dwelling (from Table 8). Developments that have more than one type of residential unit have their impact fees calculated separately for each type of residence.

PUBLIC SAFETY IMPACT FEES

There are six steps to determine the amount of impact fees for public safety facilities that are required as a result of new development. The public safety impact fee is calculated so that new development will receive the same level of emergency medical service responses that the County provides for the current population, and a proportionate share of other public safety facilities and communications that the County provides.

1. Ambulance and EMS Station Costs per Response

Table 9 contains two analyses of the total number of responses by all ambulances. First, the total is divided by the number of ambulances to calculate the average number of responses per ambulance. Second, the total is divided by the unduplicated number of EMS calls to calculate the average number of ambulances that respond to each call. The severity of some incidents requires more than one ambulance in order to provide emergency medical services.

Table 9: Ambulance Responses

Annual EMS Responses by All Ambulances	36,049
Number of Ambulances	17
Average Annual EMS Responses per Ambulance	<u>2,121</u>
Annual EMS Responses by All Ambulances	36,049
Annual Unduplicated EMS Incidents	<u>32,761</u>
Average Number of Ambulances per EMS Incident	1.10

Table 10 begins by dividing the total cost of an ambulance and its communication equipment by their useful lives in order to calculate the annual cost. That annual cost is divided by the number of responses per ambulance (from Table 9) to calculate the capital cost of one ambulance response. Lastly,

the cost per response is multiplied by the number of ambulances per incident (from Table 9) to calculate the cost per incident for responses by ambulances.

Table 10: Ambulance Cost per Response

Vehicle Cost Components	Total Cost	Useful Life (Years)	Annual Cost
Ambulance: Freightliner			
Vehicle	\$ 212,353	5.50	\$ 38,609.64
Communications/Equipment	36,500	7.86	4,643.77
Total	<u>248,853</u>		<u>43,253.40</u>
Annual Cost per Ambulance			\$ 43,253.40
Average Annual EMS Responses per Ambulance			<u>2,121</u>
Average Cost per Ambulance Response			20.40
Average Cost per Ambulance Response			\$ 20.40
Average Number of Ambulances per EMS Incident			<u>1.10</u>
Ambulance Cost per EMS Incident			22.44

Table 11 presents the analysis of the cost of EMS stations per incident response. First, the total square feet of all EMS stations is divided by the unduplicated number of EMS incidents to calculate the number of square feet of EMS station per EMS incident. Next, the average cost per square foot of an EMS station is divided by its useful life to determine the annual cost per square foot. In the final step, the number of square feet of EMS station per EMS incident is multiplied by the annual cost per square foot to calculate the cost per incident for stations that house the ambulances that respond.

Table 11: EMS Station Cost per Response

Total Square Feet of EMS Stations	88,806
Annual Unduplicated EMS Incidents	32,761
EMS Station Sq. Ft. per EMS Incident	<u>2.71</u>
Station Cost per Square Foot	\$ 75.64
Useful Life (years)	50
Annual Cost per Square Foot	<u>1.51</u>
EMS Station Sq. Ft. per EMS Incident	2.71
Annual Cost per Square Foot	\$ 1.51
Annual Cost per EMS Incident	<u>4.10</u>

2. EMS Incident Rates at Different Land Use Categories

There are three tables that analyze emergency medical incidents among types of land use: Table 12 is a summary of the total EMS incidents, Table 13 shows the emergency medical incidents that were identifiable by land use type, and Table 14 presents the emergency medical incident rate per unit of development.

Table 12 indicates there were a total of 32,761 emergency medical incidents: 31,042 that can be located at a specific land use and 1,719 that cannot.

Table 12: Summary of EMS Incidents

Incident Location	Distribution By Location
Total	32,761
At Properties	31,042
% of Total	94.75%
Not Identified by Location	1,719
% of Total	5.25%

Table 13 identifies the specific land uses at which the 31,042 emergency medical incidents occurred. The next column calculates the percent distribution for each land use. In the right hand column the total 32,761 emergency medical incidents (31,042 traceable + 1,719 not traceable) are allocated among the land use types using the percent distribution column. The result is the total annual emergency medical incidents for each type of land use.

Table 13: EMS Incidents at Specific Land Uses

Land Use	Incidents Identifiable at Land Use	Percent of Identifiable Incidents	Allocation of 32,761 Total Incidents
RESIDENTIAL			
Single Family Detached	9,449	30.4%	9,972
Townhouse/Duplex	1,401	4.5%	1,479
Manufactured Homes	3,786	12.2%	3,996
All Other Housing Types	6,676	21.5%	7,046
NON RESIDENTIAL			
Commercial/Shop Ctr	3,550	11.4%	3,747
Office	2,229	7.2%	2,352
Hospital	103	0.3%	109
Mini Warehouse	33	0.1%	35
Warehousing	105	0.3%	111
Manufacturing	28	0.1%	30
Light Industrial	85	0.3%	90
Church	182	0.6%	192
Nursing Home	2,842	9.2%	2,999
Education	278	0.9%	293
Lodging	295	1.0%	311
Total	31,042		32,761

The final step in determining the annual emergency medical incident rate per unit of development is shown in Table 14. The total annual emergency medical incidents for each type of land use (from Table 13) are divided by the number of dwelling units or square feet of structures to calculate the annual incident rate per dwelling unit or square foot.

The results in Table 14 show how many times an average unit of development has an emergency medical incident to which Manatee County EMS responds. For example, a single-family house has an average of 0.1164860 emergency medical incidents per year. This is the same as saying that 11.65% of all houses have an emergency medical incident in a year. Another way of understanding this information is that an average house would have an emergency medical incident once every 8.5 years.

Table 14: Incident Rate per Unit of Development

Land Use	Total Incidents at Each Land Use ¹	Units of Development		Annual EMS Incidents per Unit of Development	
RESIDENTIAL					
Single Family Detached	9,972	85,609	dwelling	0.1164860	per dwelling
Townhouse/Duplex	1,479	7,391	dwelling	0.2000518	per dwelling
Manufactured Homes	3,996	15,045	dwelling	0.2655803	per dwelling
All Other Housing Types	7,046	44,086	dwelling	0.1598170	per dwelling
NON RESIDENTIAL					
Commercial/Shop Ctr	3,747	22,049,571	sq.ft.	0.1699165	per 1,000 sq ft
Office	2,352	12,652,364	sq.ft.	0.1859284	per 1,000 sq ft
Hospital	109	1,236,426	sq.ft.	0.0879177	per 1,000 sq ft
Mini Warehouse	35	2,333,184	sq.ft.	0.0149270	per 1,000 sq ft
Warehousing	111	10,212,714	sq.ft.	0.0108506	per 1,000 sq ft
Manufacturing	30	4,259,213	sq.ft.	0.0069380	per 1,000 sq ft
Light Industrial	90	8,052,993	sq.ft.	0.0111396	per 1,000 sq ft
Church	192	3,190,698	sq.ft.	0.0601995	per 1,000 sq ft
Nursing Home	2,999	1,741,312	sq.ft.	1.7224830	per 1,000 sq ft
Education	293	3,384,467	sq.ft.	0.0866886	per 1,000 sq ft
Lodging	311	1,732,441	sq.ft.	0.1797095	per 1,000 sq ft

3. Cost per EMS Response

In Table 15 the ambulance cost for emergency medical incidents for each type of development is determined by multiplying the annual emergency medical incidents per unit of development (from Table 14) times the capital cost per emergency medical incident (from Table 10), then multiplying that result by

the useful life of the ambulance (also from Table 10). Using single-family house as an example, the incident rate of 0.1164860 incidents per year per house is multiplied by the cost per incident (\$22.44 from Table 10) to calculate an annual cost of \$2.6145 per house per year for ambulances. Since an ambulance lasts for 5.5 years, the annual cost is multiplied times 5.5 for a total cost of \$14.3797 per house. This will pay for the initial ambulance needed to serve new development. Subsequent replacements of the ambulance will be funded by the County's normal vehicle replacement program.

Table 15: Ambulance Cost of Response to EMS Incidents at Land Use Categories

Land Use	Unit of Development	Annual EMS Incident Rate	Ambulance Cost @ \$22.44 per Incident	Total Ambulance Cost for 5.5 Year Life
RESIDENTIAL				
Single Family Detached	per dwelling	0.1164860	\$ 2.6145	\$ 14.3797
Townhouse/Duplex	per dwelling	0.2000518	4.4901	24.6955
Manufactured Homes	per dwelling	0.2655803	5.9608	32.7847
All Other Housing Types	per dwelling	0.1598170	3.5870	19.7287
NON RESIDENTIAL				
Commercial/Shop Ctr	per 1,000 sq ft	0.1699165	3.8137	20.9754
Office	per 1,000 sq ft	0.1859284	4.1731	22.9520
Hospital	per 1,000 sq ft	0.0879177	1.9733	10.8530
Mini Warehouse	per 1,000 sq ft	0.0149270	0.3350	1.8427
Warehousing	per 1,000 sq ft	0.0108506	0.2435	1.3395
Manufacturing	per 1,000 sq ft	0.0069380	0.1557	0.8565
Light Industrial	per 1,000 sq ft	0.0111396	0.2500	1.3751
Church	per 1,000 sq ft	0.0601995	1.3512	7.4314
Nursing Home	per 1,000 sq ft	1.7224830	38.6605	212.6325
Education	per 1,000 sq ft	0.0866886	1.9457	10.7013
Lodging	per 1,000 sq ft	0.1797095	4.0335	22.1843

Table 16 uses the same method and formulas to calculate the cost of EMS stations for emergency medical incidents for each type of development. For the single-family house example, the incident rate of 0.1164860 incidents per year per house is multiplied by the EMS station cost per incident (\$4.10 from Table 11) to calculate an annual cost of \$0.4777 per house per year for EMS stations.

Since an EMS station lasts for 50 years, the annual cost is multiplied times 50 for a total cost of \$23.8842 per house.

Table 16: EMS Station Cost of Response to EMS Incidents at Land Use Categories

Land Use	Unit of Development	Annual EMS Incident Rate	EMS Station Cost @ \$4.10 per Incident	Total EMS Station Cost for 50 Year Life
RESIDENTIAL				
Single Family Detached	per dwelling	0.1164860	\$ 0.4777	\$ 23.8842
Townhouse/Duplex	per dwelling	0.2000518	0.8204	41.0184
Manufactured Homes	per dwelling	0.2655803	1.0891	54.4543
All Other Housing Types	per dwelling	0.1598170	0.6554	32.7687
NON RESIDENTIAL				
Commercial/Shop Ctr	per 1,000 sq ft	0.1699165	0.6968	34.8395
Office	per 1,000 sq ft	0.1859284	0.7625	38.1226
Hospital	per 1,000 sq ft	0.0879177	0.3605	18.0266
Mini Warehouse	per 1,000 sq ft	0.0149270	0.0612	3.0606
Warehousing	per 1,000 sq ft	0.0108506	0.0445	2.2248
Manufacturing	per 1,000 sq ft	0.0069380	0.0285	1.4226
Light Industrial	per 1,000 sq ft	0.0111396	0.0457	2.2841
Church	per 1,000 sq ft	0.0601995	0.2469	12.3433
Nursing Home	per 1,000 sq ft	1.7224830	7.0635	353.1764
Education	per 1,000 sq ft	0.0866886	0.3555	17.7746
Lodging	per 1,000 sq ft	0.1797095	0.7369	36.8475

4. Credit for Other Revenue

Impact fees must be reduced by a “credit” for future taxes and revenues (other than impact fees) that will be paid by new development to pay for the public safety facilities needed by growth. The revenue credit calculation ensures that new development does not pay twice for the same benefit (i.e., it does not pay impact fees for new public safety facilities, and also pay taxes or other fees for the same public safety facilities).

The discussion and methodology of revenue credits in the road impact fee chapter applies to the revenue credit for public safety facilities impact fees, but the credit is based on debt service payments for a 2006 bond.

The credit for other sources of revenue for the public safety facilities impact fee is calculated by determining the dollar amount of future bond debt service payments that the County will use for public safety facilities for growth. Table 17 lists the future payments, calculates the 55% portion of the bond issue that is for public safety, and apportions the public safety portion between residential uses (87%) and non-residential uses (13%) based on the distribution of functional population as calculated in TischlerBise's 2006 impact fee study.

The residential share of the debt service is divided by the population to calculate the credit amount per person for each future year. The non-residential (commercial) share of the debt service is divided by the square feet of commercial space to calculate the credit amount per square foot. The total credit for future payments is discounted to present value because the credit is received "up front" at the time the impact fee is paid, but the County will not receive the debt service payments until future years.

Table 17: Credit for Other Revenues

Year	Principal Payments 2006 Bond	Public Safety Complex Share @ 55%	Residential Share @ 87%	Population	Credit per Person
2011	\$ 3,395,000	\$ 1,867,250	\$ 1,624,508	325,450	\$ 4.99
2012	3,530,000	1,941,500	1,689,105	328,087	5.15
2013	3,675,000	2,021,250	1,758,488	330,746	5.32
2014	3,855,000	2,120,250	1,844,618	333,427	5.53
2015	4,050,000	2,227,500	1,937,925	336,130	5.77
2016	4,250,000	2,337,500	2,033,625	339,751	5.99
2017	4,465,000	2,455,750	2,136,503	343,411	6.22
2018	4,690,000	2,579,500	2,244,165	347,111	6.47
2019	4,910,000	2,700,500	2,349,435	350,850	6.70
2020	5,155,000	2,835,250	2,466,668	354,630	6.96
2021	5,415,000	2,978,250	2,591,078	359,358	7.21
Total	47,390,000	26,064,500	22,676,115		66.29
Discount Rate					4.50%
Present Value of Credit					50.56

	Commercial Share @ 13%	Total Sq Ft Commercial Development (1,000)	Credit per 1,000 Sq Ft Sq. Ft.
2011	\$ 242,743	70,845	\$ 3.4264
2012	252,395	71,419	3.5340
2013	262,763	71,998	3.6496
2014	275,633	72,581	3.7976
2015	289,575	73,365	3.9471
2016	303,875	74,157	4.0977
2017	319,248	74,958	4.2590
2018	335,335	75,768	4.4258
2019	351,065	76,586	4.5839
2020	368,583	77,604	4.7495
2021	387,173	78,637	4.9236
Total	3,388,385		45.39
Discount Rate			4.50%
Present Value of Credit			34.63

5. Cost of Other Public Safety Facilities

The calculations in Tables 9-16 are for emergency medical service ambulances and stations. Manatee County has other public safety facilities that are also impacted by new development. Table 18 lists the facilities and their costs, then apportions the costs between residential and commercial benefits (using the same functional population apportionment described in the credits for other revenues). The residential share is divided by the future population to calculate the cost per person, and the commercial share is divided by the future square footage of commercial development to calculate the cost per square foot of commercial development. The costs per person and per square foot are reduced by the credits from Table 17. The result is the net cost per person and per square foot for other public safety facilities.

Table 18: Cost of Other Public Safety Facilities

Public Safety Complex	\$ 48,266,645	
New Communication System	32,500,000	
Total Cost	<u>80,766,645</u>	
	<u>Residential</u>	<u>Commercial</u>
Percent of Total	87%	13%
Cost Allocation	<u>\$ 70,266,981</u>	<u>\$ 10,499,664</u>
2035 Population and Commercial 1,000 Sq Ft	448,135	98,333
2035 Share per Person or Commercial 1,000 Sq Ft	<u>156.80</u>	<u>106.78</u>
2035 Share per Person or Commercial 1,000 Sq Ft	156.80	106.78
Revenue Credit	50.56	34.63
Net Cost per Person or Commercial 1,000 Sq Ft	<u>106.24</u>	<u>72.15</u>

6. Impact Fee Rates

Impact fee rates for each type of land use are calculated in Table 19 as follows:

The ambulance costs (from Table 15), the EMS station costs (from Table 16), and the cost of other public facilities (from Table 18) are listed in separate columns. Costs per residential units from the previous tables are adjusted for the size (number of bedrooms) using the average number of persons per dwelling unit for each type and size of dwelling unit.

Finally, the costs of ambulance, EMS station and other public facilities are added together. The result is the impact fee rate for public safety for each type of land use.

Table 19: Impact Fee Rates for Public Safety

Land Use	Unit of Development	Ambulance Cost	EMS Station Cost	Public Safety Facilities: Building and Radio Cost	Total Public Safety Impact Fee
RESIDENTIAL					
Single family house					
0 - 2 bedrooms	per dwelling	\$ 11.99264	\$ 19.91942	\$ 218.85582	\$ 250.77
3 bedrooms	per dwelling	14.53784	24.14692	265.60172	304.29
4+ bedrooms	per dwelling	19.13933	31.78986	349.53187	400.46
Townhouse/Duplex					
0 - 2 bedrooms	per dwelling	22.42348	37.24474	194.42046	254.09
3+ bedrooms	per dwelling	32.86966	54.59553	284.72505	372.19
Manufactured Homes					
0 - 2 bedrooms	per dwelling	27.34240	45.41493	93.49181	166.25
3+ bedrooms	per dwelling	33.14529	55.05334	113.67754	201.88
All Other Housing Types					
0 - 2 bedrooms	per dwelling	18.80142	31.22861	130.67605	180.71
3+ bedrooms	per dwelling	29.47463	48.95650	205.04453	283.48
NON RESIDENTIAL					
Commercial/Shop Ctr	per 1,000 sq ft	20.9754	34.8395	72.1466	127.96
Office	per 1,000 sq ft	22.9520	38.1226	72.1466	133.22
Hospital	per 1,000 sq ft	10.8530	18.0266	72.1466	101.03
Mini Warehouse	per 1,000 sq ft	1.8427	3.0606	72.1466	77.05
Warehousing	per 1,000 sq ft	1.3395	2.2248	72.1466	75.71
Manufacturing	per 1,000 sq ft	0.8565	1.4226	72.1466	74.43
Light Industrial	per 1,000 sq ft	1.3751	2.2841	72.1466	75.81
Church	per 1,000 sq ft	7.4314	12.3433	72.1466	91.92
Nursing Home	per 1,000 sq ft	212.6325	353.1764	72.1466	637.96
Education	per 1,000 sq ft	10.7013	17.7746	72.1466	100.62
Lodging	per 1,000 sq ft	22.1843	36.8475	72.1466	131.18

The total impact fee for a proposed development is calculated by multiplying the size of the development (i.e., square feet, dwellings, etc.) by the impact fee rate per unit (from Table 19). Developments that have more than one land use have their impact fees calculated separately for each type of land use.

LAW ENFORCEMENT IMPACT FEES

There are six steps to determine the amount of impact fees for law enforcement facilities that are required as a result of new development. The law enforcement impact fee is calculated so that new development will receive the same level of responses and investigations that the Sheriff provides for the current population, and a proportionate share of other law enforcement and judicial facilities that the County provides.

1. Sheriff Vehicles and Station Costs per Activity

Table 20 analyzes the cost of Sheriff patrol vehicles per activity⁷. First, the total number of activities by all patrol vehicles is divided by the number of patrol vehicles to calculate the average number of activities per patrol vehicle. Second, the total cost is listed for one patrol vehicle with communications and equipment. Third, the total cost is divided by the useful life of 5 years to calculate the annual cost per patrol vehicle. Lastly, the annual cost is divided by the average annual number of activities per vehicle to determine the cost of a patrol vehicle for one activity.

⁷ This impact fee study uses the term "activity" to include law enforcement responses to emergency calls, officer initiated events, traffic enforcement, and criminal investigations of law enforcement cases.

Table 20: Patrol Vehicle Activity, Costs and Cost per Activity

Annual Patrol Activities	211,399
Patrol Vehicles	325
Average Number of Activities per Vehicle	<u>650</u>
Vehicle Cost	\$ 23,364.00
Communications Cost	8,000.00
Equipment Cost	5,450.00
Total Cost	<u>36,814.00</u>
Total Cost	\$ 36,814.00
Useful Life of Vehicle (Years)	5
Annual Cost of Vehicle	<u>7,362.80</u>
Annual Cost of Patrol Vehicle	\$ 7,362.80
Average Number of Activities per Vehicle	650
Average Cost per Patrol Activity	<u>11.32</u>

Table 21 analyzes the cost of Sheriff criminal investigations vehicles per activity. The approach and format are identical to Table 20, but the activities are from the criminal investigations unit instead of from patrol units.

Table 21: Criminal Investigations Vehicle Activity, Costs and Cost per Activity

Annual Criminal Investigations	21,794
Criminal Investigations Vehicles	121
Average Number of Activities per Vehicle	<u>180</u>
Vehicle & Equipment Cost	\$ 27,964.00
Communications Cost	5,000.00
Total Cost	<u>32,964.00</u>
Total Cost	\$ 32,964.00
Useful Life of Vehicle (Years)	5
Annual Cost of Vehicle	<u>6,592.80</u>
Annual Cost of Vehicle	\$ 6,592.80
Average Number of Activities per Vehicle	180
Average Cost per CI Activity	<u>36.60</u>

Table 22 presents the analysis of the cost of Sheriff stations per law enforcement activity. First, the total square feet of all Sheriff stations is divided by the number of patrol and criminal investigation activities to calculate the number of square feet of Sheriff station per activity. Next, the average cost per square foot of a Sheriff station is divided by its useful life to determine the annual cost per square foot. In the final step, the number of square feet of Sheriff stations per activity is multiplied by the annual cost per square foot to calculate the cost per activity for Sheriff stations.

Table 22: Law Enforcement Station Cost per Activity

Total Square Feet of Law Enforcement Stations	153,329
Annual Patrol and CI Activities	233,193
Law Enforcement Station Sq. Ft. per Activity	<u>0.66</u>
Station Cost per Square Foot	\$ 95.23
Useful Life (years)	50
Annual Cost per Square Foot	<u>1.90</u>
Law Enforcement Station Sq. Ft. per Activity	0.66
Annual Cost per Square Feet	<u>1.90</u>
Cost per Activity	1.25

2. Patrol Activities and Costs at Different Land Use Categories

There are six tables that analyze the cost of patrol activities at different land use categories. Tables 23 – 25 calculate the number of patrol activities at each type of land use. Tables 26 – 28 calculate the cost of the patrol activities at each type of land use.

Table 23 indicates there were a total of 211,399 patrol activities: 137,699 that can be located at a specific land use and 73,700 that cannot.

Table 23: Summary of Patrol Activities

Total Patrol Activities	211,399
At Properties	137,699
% of Total	65.14%
Not Identified by Location	73,700
% of Total	34.86%

Table 24 identifies the specific land uses at which the 137,699 patrol activities occurred. The next column calculates the percent distribution to each land use. In the right hand column the total 211,539 patrol incidents (137,699 traceable + 73,700 not traceable) are allocated among the land use types using the percent distribution column. The result is the total annual patrol activities at each of the land use types.

Table 24: Patrol Activities at Specific Land Uses

Land Use	Annual Activities Identifiable To Land Use	Percent Of All Activities Identifiable To Land Use	Total 211,399 Activities Allocated To Land Uses
RESIDENTIAL			
Single Family Detached	45,472	33.0%	69,810
Townhouse/Duplex	9,098	6.6%	13,967
Manufactured Homes	7,619	5.5%	11,697
All Other Housing Types	13,331	9.7%	20,466
NON RESIDENTIAL			
Commercial/Shop Ctr	31,130	22.6%	47,792
Office	18,130	13.2%	27,834
Hospital	123	0.1%	189
Mini Warehouse	474	0.3%	728
Warehousing	1,890	1.4%	2,902
Manufacturing	88	0.1%	135
Light Industrial	1,143	0.8%	1,755
Church	1,225	0.9%	1,881
Nursing Home	223	0.2%	342
Schools	6,056	4.4%	9,297
Lodging	1,697	1.2%	2,605
Total	137,699		211,399

The final step in determining the annual patrol activity incident rate per unit of development is shown in Table 25. The total annual patrol activities for each type of land use (from Table 24) are divided by the number of dwelling units or square feet of structures to calculate the annual incident rate per dwelling unit or square foot.

The results in Table 25 show how many times an average unit of development has an activity to which a Manatee County Sheriff patrol responds. For example, a single-family house has an average of 1.0076177 patrol activities per year. This is the same as saying that every house has a patrol activity each year. By comparison, multi-family units have 2.6 patrol activities per year.

Table 25: Patrol Incident Rate per Unit of Development

Land Use	Total Annual Activities To Land Use	Units Of Development	Activities Per Unit of Development
RESIDENTIAL			
Single Family Detached	69,810	69,282 dwelling	1.0076177 per dwelling
Townhouse/Duplex	13,967	5,348 dwelling	2.6117204 per dwelling
Manufactured Homes	11,697	13,873 dwelling	0.8431401 per dwelling
All Other Housing Types	20,466	26,380 dwelling	0.7758184 per dwelling
NON RESIDENTIAL			
Commercial/Shop Ctr	47,792	17,140,934 sq.ft.	2.7881541 per 1,000 sq ft
Office	27,834	7,109,977 sq.ft.	3.9147294 per 1,000 sq ft
Hospital	189	198,874 sq.ft.	0.9495093 per 1,000 sq ft
Mini Warehouse	728	1,674,871 sq.ft.	0.4344793 per 1,000 sq ft
Warehousing	2,902	9,500,963 sq.ft.	0.3053981 per 1,000 sq ft
Manufacturing	135	3,902,403 sq.ft.	0.0346197 per 1,000 sq ft
Light Industrial	1,755	7,304,538 sq.ft.	0.2402291 per 1,000 sq ft
Church	1,881	1,983,516 sq.ft.	0.9481401 per 1,000 sq ft
Nursing Home	342	579,855 sq.ft.	0.5904153 per 1,000 sq ft
Schools	9,297	2,111,649 sq.ft.	4.4028742 per 1,000 sq ft
Lodging	2,605	1,283,908 sq.ft.	2.0291777 per 1,000 sq ft

In Table 26 the patrol vehicle cost for patrol activities for each type of development is determined by multiplying the annual patrol activities per unit of

development (from Table 25) times the capital cost per patrol activity (from Table 20), then multiplying that result by the useful life of the patrol vehicle (also from Table 20). Using single-family house as an example, the incident rate of 1.0076177 patrol activities per year per house is multiplied by the cost per activity (\$11.32 from Table 20) to calculate an annual cost of \$11.4056 per house per year for patrol vehicles. Since a patrol vehicle lasts for 5 years, the annual cost is multiplied times 5 for a total cost of \$57.0281 per house. This will pay for the initial patrol vehicle needed to serve new development. Subsequent replacements of the patrol vehicle will be funded by the County's normal vehicle replacement program.

Table 26: Patrol Vehicle Cost of Activities at Land Use Categories

Land Use	Unit of Development	Annual Activity Incident Rate	Vehicle Cost At \$11.32 per Activity	Total Vehicle Cost for 5 Year Life
RESIDENTIAL				
Single Family Detached	per dwelling	1.0076177	\$ 11.4056	\$ 57.0281
Townhouse/Duplex	per dwelling	2.6117204	29.5631	147.8155
Manufactured Homes	per dwelling	0.8431401	9.5438	47.7192
All Other Housing Types	per dwelling	0.7758184	8.7818	43.9090
NON RESIDENTIAL				
Commercial/Shop Ctr	per 1,000 sq ft	2.7881541	31.5602	157.8012
Office	per 1,000 sq ft	3.9147294	44.3124	221.5620
Hospital	per 1,000 sq ft	0.9495093	10.7479	53.7394
Mini Warehouse	per 1,000 sq ft	0.4344793	4.9180	24.5902
Warehousing	per 1,000 sq ft	0.3053981	3.4569	17.2846
Manufacturing	per 1,000 sq ft	0.0346197	0.3919	1.9594
Light Industrial	per 1,000 sq ft	0.2402291	2.7192	13.5962
Church	per 1,000 sq ft	0.9481401	10.7324	53.6619
Nursing Home	per 1,000 sq ft	0.5904153	6.6831	33.4157
Schools	per 1,000 sq ft	4.4028742	49.8379	249.1895
Lodging	per 1,000 sq ft	2.0291777	22.9691	114.8454

Table 27 uses the same method and formulas to calculate the cost of Sheriff stations for patrol activities for each type of development. For the single-family house example, the incident rate of 1.0076177 patrol activities per year

per house is multiplied by the Sheriff station cost per incident (\$1.25 from Table 22) to calculate an annual cost of \$1.2619 per house per year for Sheriff stations. Since a Sheriff station lasts for 50 years, the annual cost is multiplied times 50 for a total cost of \$63.0926 per house.

Table 27: Sheriff Station Cost of Activities at Land Use Categories

Land Use	Unit of Development	Annual Activity Incident Rate	Building Cost At \$1.25 per Activity	Total Building Cost For 50 Year Life
RESIDENTIAL				
Single Family Detached	per dwelling	1.0076177	\$ 1.2619	\$ 63.0926
Townhouse/Duplex	per dwelling	2.6117204	3.2707	163.5344
Manufactured Homes	per dwelling	0.8431401	1.0559	52.7937
All Other Housing Types	per dwelling	0.7758184	0.9716	48.5783
NON RESIDENTIAL				
Commercial/Shop Ctr	per 1,000 sq ft	2.7881541	3.4916	174.5820
Office	per 1,000 sq ft	3.9147294	4.9025	245.1231
Hospital	per 1,000 sq ft	0.9495093	1.1891	59.4541
Mini Warehouse	per 1,000 sq ft	0.4344793	0.5441	27.2052
Warehousing	per 1,000 sq ft	0.3053981	0.3825	19.1227
Manufacturing	per 1,000 sq ft	0.0346197	0.0434	2.1677
Light Industrial	per 1,000 sq ft	0.2402291	0.3008	15.0421
Church	per 1,000 sq ft	0.9481401	1.1874	59.3684
Nursing Home	per 1,000 sq ft	0.5904153	0.7394	36.9692
Schools	per 1,000 sq ft	4.4028742	5.5138	275.6886
Lodging	per 1,000 sq ft	2.0291777	2.5412	127.0582

Table 28 adds the cost of patrol vehicles (from Table 26) and the cost of Sheriff stations (from Table 27) to calculate the total cost of patrol activities for each type of development.

Table 28: Total Cost of Patrol Activities at Land Use Categories

Land Use	Unit of Development	Total Cost of Vehicles & Buildings
RESIDENTIAL		
Single Family Detached	per dwelling	\$ 120.12073
Townhouse/Duplex	per dwelling	311.35000
Manufactured Homes	per dwelling	100.51293
All Other Housing Types	per dwelling	92.48734
NON RESIDENTIAL		
Commercial/Shop Ctr	per 1,000 sq ft	332.38313
Office	per 1,000 sq ft	466.68511
Hospital	per 1,000 sq ft	113.19349
Mini Warehouse	per 1,000 sq ft	51.79541
Warehousing	per 1,000 sq ft	36.40730
Manufacturing	per 1,000 sq ft	4.12710
Light Industrial	per 1,000 sq ft	28.63834
Church	per 1,000 sq ft	113.03026
Nursing Home	per 1,000 sq ft	70.38495
Schools	per 1,000 sq ft	524.87812
Lodging	per 1,000 sq ft	241.90357

3. Criminal Investigation Activities and Costs for Different Land Use Categories

In the same manner as the preceding tables for patrol activities, there are six tables that analyze the cost of criminal investigations activities for different land use categories. Tables 29 – 31 calculate the number of criminal investigations activities at each type of land use. Tables 32 – 34 calculate the cost of the criminal investigations activities for each type of land use.

Table 29 indicates there were a total of 21,794 criminal investigations activities: 16,038 that can be located at a specific land use and 5,756 that cannot.

Table 29: Summary of Criminal Investigation Activities

Total Criminal Investigations Activities	21,794
At Properties	16,038
% of Total	73.59%
Not Identified by Location	5,756
% of Total	26.41%

Table 30 identifies the specific land uses at which the 16,038 criminal investigations activities occurred. The next column calculates the percent distribution to each land use. In the right hand column the total 21,794 criminal investigations incidents (16,038 traceable + 5,756 not traceable) are allocated among the land use types using the percent distribution column. The result is the total annual criminal investigations activities at each of the land use types.

Table 30: Criminal Investigation Activities at Specific Land Uses

Land Use	Annual Criminal Investigations Identifiable To Land Use	Percent Of All Activities Identifiable To Land Use	Total 21,794 Criminal Investigations Allocated To Land Uses
RESIDENTIAL			
Single Family Detached	6,864	42.8%	9,327
Townhouse/Duplex	297	1.9%	404
Manufactured Homes	1374	8.6%	1,867
All Other Housing Types	2,235	13.9%	3,037
NON RESIDENTIAL			
Commercial/Shop Ctr	3,621	22.6%	4,921
Office	560	3.5%	761
Hospital	157	1.0%	213
Mini Warehouse	0	0.0%	0
Warehousing	113	0.7%	154
Manufacturing	113	0.7%	154
Light Industrial	0	0.0%	0
Church	46	0.3%	63
Nursing Home	0	0.0%	0
Schools	487	3.0%	662
Lodging	171	1.1%	232
Total	16,038		21,794

The final step in determining the annual criminal investigations activity incident rate per unit of development is shown in Table 31. The total annual criminal investigations activities for each type of land use (from Table 29) are divided by the number of dwelling units or square feet of structures to calculate the annual incident rate per dwelling unit or square foot.

The results in Table 31 show how many times an average unit of development has an activity to which Manatee County Sheriff criminal investigations responds. For example, a single-family house has an average of 0.1346305 criminal investigations activities per year. This is the same as saying that 13.46% of all houses have a criminal investigations activity in a year. Another way of understanding this information is that an average house would have a criminal investigations activity once every 7.4 years.

Table 31: Criminal Investigation Incident Rate per Unit of Development

Land Use	Total Annual Criminal Investigations By Land Use	Units Of Development	Criminal Investigations Per Unit of Development	
RESIDENTIAL				
Single Family Detached	9,327	69,282	0.1346305	per dwelling
Townhouse/Duplex	404	5,348	0.0754661	per dwelling
Manufactured Homes	1,867	13,873	0.1345870	per dwelling
All Other Housing Types	3,037	26,380	0.1151303	per dwelling
NON RESIDENTIAL				
Commercial/Shop Ctr	4,921	17,140,934	0.2870654	per 1,000 sq ft
Office	761	7,109,977	0.1070303	per 1,000 sq ft
Hospital	213	198,874	1.0727743	per 1,000 sq ft
Mini Warehouse	0	1,674,871	0.0000000	per 1,000 sq ft
Warehousing	154	9,500,963	0.0161621	per 1,000 sq ft
Manufacturing	154	3,902,403	0.0393489	per 1,000 sq ft
Light Industrial	0	7,304,538	0.0000000	per 1,000 sq ft
Church	63	1,983,516	0.0315144	per 1,000 sq ft
Nursing Home	0	579,855	0.0000000	per 1,000 sq ft
General Education	662	2,111,649	0.3133964	per 1,000 sq ft
Lodging	232	1,283,908	0.1809877	per 1,000 sq ft

In Table 32 the criminal investigations vehicle cost for criminal investigations activities for each type of development is determined by multiplying the annual criminal investigations activities per unit of development (from Table 31) times the capital cost per criminal investigations activity (from Table 21), then multiplying that result by the useful life of the criminal investigations vehicle (also from Table 21). Using single-family house as an example, the incident rate of 0.1346305 criminal investigations activities per year per house is multiplied by the cost per activity (\$36.60 from Table 21) to calculate an annual cost of \$4.9279 per house per year for criminal investigations vehicles. Since a criminal investigations vehicle lasts for 5 years, the annual cost is multiplied times 5 for a total cost of \$24.6395 per house. This will pay for the initial criminal investigations vehicle needed to serve new development. Subsequent replacements of the criminal investigations vehicle will be funded by the County's normal vehicle replacement program.

Table 32: Criminal Investigation Vehicle Cost of Activities at Land Use Categories

Land Use	Unit of Development	Annual Criminal Investigations Rate	Vehicle Cost At \$36.60 per Investigation	Total Vehicle Cost For 5 Year Life
RESIDENTIAL				
Single Family Detached	per dwelling	0.1346305	\$ 4.9279	\$ 24.6395
Townhouse/Duplex	per dwelling	0.0754661	2.7623	13.8115
Manufactured Homes	per dwelling	0.1345870	4.9263	24.6315
All Other Housing Types	per dwelling	0.1151303	4.2141	21.0706
NON RESIDENTIAL				
Commercial/Shop Ctr	per 1,000 sq ft	0.2870654	10.5075	52.5375
Office	per 1,000 sq ft	0.1070303	3.9176	19.5882
Hospital	per 1,000 sq ft	1.0727743	39.2669	196.3345
Mini Warehouse	per 1,000 sq ft	0.0000000	0.0000	0.0000
Warehousing	per 1,000 sq ft	0.0161621	0.5916	2.9579
Manufacturing	per 1,000 sq ft	0.0393489	1.4403	7.2015
Light Industrial	per 1,000 sq ft	0.0000000	0.0000	0.0000
Church	per 1,000 sq ft	0.0315144	1.1535	5.7676
Nursing Home	per 1,000 sq ft	0.0000000	0.0000	0.0000
Schools	per 1,000 sq ft	0.3133964	11.4713	57.3565
Lodging	per 1,000 sq ft	0.1809877	6.6247	33.1236

Table 33 uses the same method and formulas to calculate the cost of Sheriff stations for criminal investigations activities for each type of development. For the single-family house example, the incident rate of 0.1346305 criminal investigations activities per year per house is multiplied by the Sheriff station cost per incident (\$1.25 from Table 22) to calculate an annual cost of \$0.1686 per house per year for Sheriff stations. Since a Sheriff station lasts for 50 years, the annual cost is multiplied times 50 for a total cost of \$8.4300 per house.

Table 33: Sheriff Station Cost of Activities at Land Use Categories

Land Use	Unit of Development	Annual Criminal Investigations Rate	Building Cost At \$1.25 per Investigation	Total Building Cost For 50 Year Life
RESIDENTIAL				
Single Family Detached	per dwelling	0.1346305	\$ 0.1686	\$ 8.4300
Townhouse/Duplex	per dwelling	0.0754661	0.0945	4.7254
Manufactured Homes	per dwelling	0.1345870	0.1685	8.4272
All Other Housing Types	per dwelling	0.1151303	0.1442	7.2090
NON RESIDENTIAL				
Commercial/Shop Ctr	per 1,000 sq ft	0.2870654	0.3595	17.9748
Office	per 1,000 sq ft	0.1070303	0.1340	6.7018
Hospital	per 1,000 sq ft	1.0727743	1.3434	67.1724
Mini Warehouse	per 1,000 sq ft	0.0000000	0.0000	0.0000
Warehousing	per 1,000 sq ft	0.0161621	0.0202	1.0120
Manufacturing	per 1,000 sq ft	0.0393489	0.0493	2.4639
Light Industrial	per 1,000 sq ft	0.0000000	0.0000	0.0000
Church	per 1,000 sq ft	0.0315144	0.0395	1.9733
Nursing Home	per 1,000 sq ft	0.0000000	0.0000	0.0000
Schools	per 1,000 sq ft	0.3133964	0.3925	19.6235
Lodging	per 1,000 sq ft	0.1809877	0.2267	11.3327

Table 34 adds the cost of criminal investigations vehicles (from Table 32) and the cost of Sheriff stations (from Table 33) to calculate the total cost of criminal investigations activities for each type of development.

Table 34: Total Cost of Criminal Investigation Activities at Land Use Categories

Land Use	Unit of Development	Total Cost of Vehicles and Buildings
RESIDENTIAL		
Single Family Detached	per dwelling	33.0695
Townhouse/Duplex	per dwelling	18.5368
Manufactured Homes	per dwelling	33.0588
All Other Housing Types	per dwelling	28.2796
NON RESIDENTIAL		
Commercial/Shop Ctr	per 1,000 sq ft	70.5122
Office	per 1,000 sq ft	26.2900
Hospital	per 1,000 sq ft	263.5070
Mini Warehouse	per 1,000 sq ft	0.0000
Warehousing	per 1,000 sq ft	3.9699
Manufacturing	per 1,000 sq ft	9.6653
Light Industrial	per 1,000 sq ft	0.0000
Church	per 1,000 sq ft	7.7409
Nursing Home	per 1,000 sq ft	0.0000
Schools	per 1,000 sq ft	76.9800
Lodging	per 1,000 sq ft	44.4562

4. Credit for Other Revenue

Impact fees must be reduced by a "credit" for future taxes and revenues (other than impact fees) that will be paid by new development to pay for the public safety facilities needed by growth. The revenue credit calculation ensures that new development does not pay twice for the same benefit (i.e., it does not pay impact fees for new public safety facilities, and also pay taxes or other fees for the same public safety facilities).

The discussion and methodology of revenue credits in the road impact fee chapter applies to the revenue credit for law enforcement facilities impact fees, but the credit is based on debt service payments for bonds issued in 2004 and 2006.

The credit for other sources of revenue for the public safety facilities impact fee is calculated by determining the dollar amount of future bond debt service payments that the County will use for law enforcement facilities for growth. Table 35 lists the future payments that are for law enforcement, and apportions the law enforcement portion between residential uses (87%) and non-residential uses (13%) based on the distribution of functional population as calculated in the TischlerBise study (2006).

The residential share of the debt service is divided by the population to calculate the credit amount per person for each future year. The non-residential (commercial) share of the debt service is divided by the square feet of commercial space to calculate the credit amount per square foot. The total credit for future payments are discounted to present value because the credit is received "up front" at the time the impact fee is paid, but the County will not receive the debt service payments until future years.

Table 35: Credit for Other Revenues

Year	Principal Payments 2004 Bond Plus 36% of 2006 Bond	Residential Share @ 87%	Population	Credit per Person	Commercial Share @ 13%	Total Sq Ft Commercial Development (1,000)	Credit per 1,000 Sq Ft Sq. Ft.
2011	\$ 2,679,422	\$ 2,331,097	325,450	\$ 7.16	\$ 348,325	70,845	\$ 4.9167
2012	2,773,508	2,412,952	328,087	7.35	360,556	71,419	5.0484
2013	2,881,230	2,506,670	330,746	7.58	374,560	71,998	5.2024
2014	2,996,678	2,607,110	333,427	7.82	389,568	72,581	5.3674
2015	3,122,580	2,716,645	336,130	8.08	405,935	73,365	5.5331
2016	3,260,300	2,836,461	339,751	8.35	423,839	74,157	5.7154
2017	3,403,474	2,961,022	343,411	8.62	442,452	74,958	5.9027
2018	3,555,284	3,093,097	347,111	8.91	462,187	75,768	6.1001
2019	3,705,276	3,223,590	350,850	9.19	481,686	76,586	6.2895
2020	3,874,358	3,370,691	354,630	9.50	503,667	77,604	6.4902
2021	4,058,894	3,531,238	359,358	9.83	527,656	78,637	6.7101
2022	2,195,000	1,909,650	364,150	5.24	285,350	79,682	3.5811
2023	2,305,000	2,005,350	369,005	5.43	299,650	80,742	3.7112
2024	2,420,000	2,105,400	373,925	5.63	314,600	81,816	3.8452
2025	2,525,000	2,196,750	378,911	5.80	328,250	83,101	3.9500
2026	2,645,000	2,301,150	384,850	5.98	343,850	84,405	4.0738
2027	2,765,000	2,405,550	390,882	6.15	359,450	85,730	4.1928
2028	2,895,000	2,518,650	397,008	6.34	376,350	87,076	4.3221
2029	3,035,000	2,640,450	403,231	6.55	394,550	88,444	4.4610
Total	57,096,004	31,590,573		139.53	7,422,481		95.41
Discount Rate				4.50%			4.50%
Present Value of Credit				94.42			64.60

5. Cost of Other Law Enforcement Facilities

The calculations in Tables 20-35 are for Sheriff patrol and criminal investigations. Manatee County has other law enforcement facilities (including judicial and jail facilities) that are also impacted by new development. Table 36 lists the facilities and their costs, then apportions those costs between residential and commercial benefits (using the same functional population apportionment described in the credits for other revenues). The residential share is divided by the future population to calculate the cost per person, and the commercial share is divided by the future square footage of commercial development to

calculate the cost per square foot of commercial development. The costs per person and per square foot are reduced by the credits from Table 35. The result is the net cost per person and per square foot for other law enforcement facilities.

Table 36: Cost of Other Law Enforcement Facilities

Judicial Center Complex	\$ 87,382,486	
Jail Buildings	47,206,588	
Total Cost	<u>134,589,074</u>	
	<u>Residential</u>	<u>Commercial</u>
Percent of Total	87%	13%
Cost Allocation	<u>\$ 117,092,494</u>	<u>\$ 17,496,580</u>
2035 Population and Commercial 1,000 Sq Ft	<u>448,135</u>	<u>98,333</u>
2035 Share per Person or Commercial 1,000 Sq Ft	261.29	177.93
2035 Share per Person or Commercial 1,000 Sq Ft	\$ 261.29	\$ 177.93
Revenue Credit	<u>94.42</u>	<u>64.60</u>
Net Cost per Person or Commercial 1,000 Sq Ft	166.87	113.33

6. Impact Fee Rates

Impact fee rates for each type of land use are calculated in Table 37 as follows:

The patrol costs (from Table 28), the criminal investigations costs (from Table 34), and the costs of other public facilities (from Table 36) are listed in separate columns. Costs per residential units from the previous tables are adjusted for the size (number of bedrooms) using the average number of persons per dwelling unit for each type and size of dwelling unit.

Finally, the costs of patrol, criminal investigations and other public facilities are added together. The result is the impact fee rate for law enforcement for each type of land use.

Table 37: Impact Fee Rates for Law Enforcement

Land Use	Unit of Development	Patrol Vehicle & Station Cost	CI Vehicle & Station Cost	Jail Justice Center Building Cost	Total Law Enforcement Impact Fee
RESIDENTIAL					
Single family house ²					
0 - 2 bedrooms	per dwelling	\$100.1807	\$27.5799	\$343.7548	\$ 471.52
3 bedrooms	per dwelling	121.4421	33.4332	417.1782	572.05
4+ bedrooms	per dwelling	159.8807	44.0155	549.0065	752.90
Townhouse/Duplex ³					
0 - 2 bedrooms	per dwelling	282.7058	16.8314	305.3744	604.91
3+ bedrooms	per dwelling	414.4068	24.6725	447.2150	886.29
Manufactured Homes ⁴					
0 - 2 bedrooms	per dwelling	83.8278	27.5710	146.8467	258.25
3+ bedrooms	per dwelling	101.6186	33.4224	178.5523	313.59
All Other Housing Types ⁵					
0 - 2 bedrooms	per dwelling	88.1404	26.9505	205.2517	320.34
3+ bedrooms	per dwelling	138.1761	42.2497	322.0615	502.49
NON RESIDENTIAL					
Commercial/Shop					
Ctr	per 1,000 sq ft	332.3831	70.5122	113.3311	516.23
Office	per 1,000 sq ft	466.6851	26.2900	113.3311	606.31
Hospital	per 1,000 sq ft	113.1935	263.5070	113.3311	490.03
Mini Warehouse	per 1,000 sq ft	51.7954	0.0000	113.3311	165.13
Warehousing	per 1,000 sq ft	36.4073	3.9699	113.3311	153.71
Manufacturing	per 1,000 sq ft	4.1271	9.6653	113.3311	127.12
Light Industrial	per 1,000 sq ft	28.6383	0.0000	113.3311	141.97
Church	per 1,000 sq ft	113.0303	7.7409	113.3311	234.10
Nursing Home	per 1,000 sq ft	70.3849	0.0000	113.3311	183.72
Schools	per 1,000 sq ft	524.8781	76.9800	113.3311	715.19
Lodging	per 1,000 sq ft	241.9036	44.4562	113.3311	399.69

The total impact fee for a proposed development is calculated by multiplying the size of the development (i.e., square feet, dwellings, etc.) by the impact fee rate per unit (from Table 19). Developments that have more than one land use have their impact fees calculated separately for each type of land use.

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended) and make a recommendation to the Board of County Commissioners as to the consistency of the proposed Ordinances with the Comprehensive Plan and as to whether the proposed ordinance should be adopted, with modifications, or denied.

Date: Thursday, June 9, 2011

Time: 9:00 AM or soon thereafter

Place: Manatee County Government Administrative Center
1112 Manatee Avenue West,
1st Floor Chambers

ORDINANCE 11-29

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA; REGARDING LAND DEVELOPMENT; AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); REGARDING CHAPTER 2, DEFINITIONS OF REDEVELOPMENT AND VETERINARY CLINIC; AMENDING SECTION 704.66 CONDITIONAL USES; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 11-20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING A STATEMENT OF PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); AMENDING SECTION 803.1.2.2. TO TEMPORARILY EXTEND THE REDUCTION OF EXISTING IMPACT FEES BY FIFTY PERCENT THROUGH SEPTEMBER 30, 2011; AMENDING SECTION 802 (LEGISLATIVE FINDINGS, RELIANCE UPON THE IMPACT FEE STUDY, AND INTENT) TO REFER TO THE MOST RECENT IMPACT FEE STUDY COMPLETED BY THE COUNTY; AMENDING SECTION 803 (ROADS IMPACT FEE) TO REFER TO DELETE UNNECESSARY LANGUAGE; AMENDING CHAPTER 8 OF THE LAND DEVELOPMENT CODE IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT (SECTION 183.31801, FLORIDA STATUTES), THE NEW SCHEDULE OF IMPACT FEES WILL TAKE EFFECT OCTOBER 1, 2011; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR NOTICE OF THE NEW AND AMENDED IMPACT FEES IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT; AND PROVIDING AN EFFECTIVE DATE.

The public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The public may provide written comments for the Planning Commission to consider.

Interested parties may examine the proposed Ordinances and related documents and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 2nd Floor, Bradenton, Florida; telephone number (941) 748-4501 EXT. 6878; e-mail to: planning_agenda@mymanatee.org

Rules of procedure for this public hearing are in effect pursuant to Resolution 2010-239(PC). A copy of this Resolution is available for review or purchase from the Building and Development Services Department (see address below).

Please send comments to: Manatee County Building and Development Services Department
Attn: Project Coordinator
1112 Manatee Ave. West 2nd Floor
Bradenton, FL 34205

All written comments will be entered into the record.

For More Information: Copies of the proposed amendment will be available for review and copying at cost approximately ten (10) days prior to the public hearing. Information may also be obtained by calling 748-4501 x 6878, between 8:00 AM - 5:00 PM.

Americans With Disabilities: The Board of County Commissioners of Manatee County 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 and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, FAX 745-3790.

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

019824

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

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Date: Thursday, June 9, 2011
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ORDINANCE 11-20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING A STATEMENT OF PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); AMENDING SECTION 803.1.2.2. TO TEMPORARILY EXTEND THE REDUCTION OF EXISTING IMPACT FEES BY FIFTY PERCENT THROUGH SEPTEMBER 30, 2011; AMENDING SECTION 802 (LEGISLATIVE FINDINGS, RELIANCE UPON THE IMPACT FEE STUDY, AND INTENT) TO REFER TO THE MOST RECENT IMPACT FEE STUDY COMPLETED BY THE COUNTY; AMENDING SECTION 803 (ROADS IMPACT FEE) TO REFER TO DELETE UNECESSARY LANGUAGE; AMENDING CHAPTER 8 OF THE LAND DEVELOPMENT CODE IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT (SECTION 163.31801, FLORIDA STATUTES), THE NEW SCHEDULE OF IMPACT FEES WILL TAKE EFFECT OCTOBER 1, 2011; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR NOTICE OF THE NEW AND AMENDED IMPACT FEES IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT; AND PROVIDING AN EFFECTIVE.

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1112 Manatee Ave. West 2ND Floor
Bradenton, FL 34205

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SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	PDR-11-03(Z)(P) Shunn-shion Chung/Springfield Subdivision	TYPE AGENDA ITEM	Advertised Public Hearing – Presentations scheduled
DATE REQUESTED	6/9/11 PC	DATE SUBMITTED/REVISED	6/1/11
BRIEFINGS? Who?	No	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Building & Development Services/Comprehensive Planning and Public Hearing s	AUTHORIZED BY TITLE	John Osborne, Planning and Zoning Official
CONTACT PERSON TELEPHONE/EXTENSION	Katie LaBarr / Principal Planner / 748-4501 ext. 6828 / DTS #20080284	PRESENTER/TITLE TELEPHONE/EXTENSION	Katie LaBarr/ Principal Planner / 748-4501 ext. 6828
ADMINISTRATIVE APPROVAL			

ACTION DESIRED
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

I move to recommend approval of PDR-11-03(Z)(P) per the recommended motion in the staff report attached to this memo.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

Manatee County Comprehensive Plan and Manatee County Land Development Code.

BACKGROUND/DISCUSSION

- The request is for a rezone of approximately 11.90 acres from the A/NCO (General Agriculture/North Central Overlay) zoning district to the PDR/NCO (Planned Development Residential/North Central Overlay) zoning district located on the north side of 25th Street East (Lyntnor Road) approximately 2,308 feet east of 80th Avenue East and north of the Manatee River in Parrish. The applicant also requests Preliminary Site Plan approval for 26 single-family lots.
- This site is in the RES-3 FLUC. Special Approval is required for a density greater than 2 dwelling units per acre, per the Comprehensive Plan.
- This site was the subject of a previous application, PDR-01-22(Z)(P) – William Lintner/Springfield. It was denied by the BOCC on July 29, 2003. That application predated the North Central Overlay regulations for the Parrish area.
- This site plan differs from the previous site plan in that all NCO requirements are met with this submittal, which include a 50' roadway buffer and 20' perimeter buffers. The gross density has also been reduced from 2.94 dwelling units per acre (30 lots) to 2.18 dwelling units per acre (26 lots).
- The applicant held a neighborhood meeting on April 12, 2011.
- An inter-neighborhood tie is proposed to connect with an existing stub out at 88th St. E. in Parkwood Lakes. The residents of Parkwood Lakes stated their opposition to this connection at the neighborhood meeting. Staff recommends that the site plan be approved, as shown, with the inter-neighborhood tie. A number of subdivisions on Old Tampa Road have inter-neighborhood ties to the south, including Old Tampa Estates, Fox Chase and Pleasant Oaks Estates.
- In addition to concerns about the inter-neighborhood tie, residents shared their concerns about traffic circulation in the area, particularly the safety of intersections at 80th Avenue East and US 301 and 89th Avenue East and Old Tampa Road. The roadways meet minimum standards.
- Some residents also raised concerns about the transition of grades between the proposed site and adjacent properties, specifically Parkwood Lakes. The applicant has sufficiently responded to these concerns and they are detailed in the staff report.
- There are no wetlands on site.
- Water and sewer are available and adjacent to the site.
- Staff recommends approval.

COUNTY ATTORNEY REVIEW

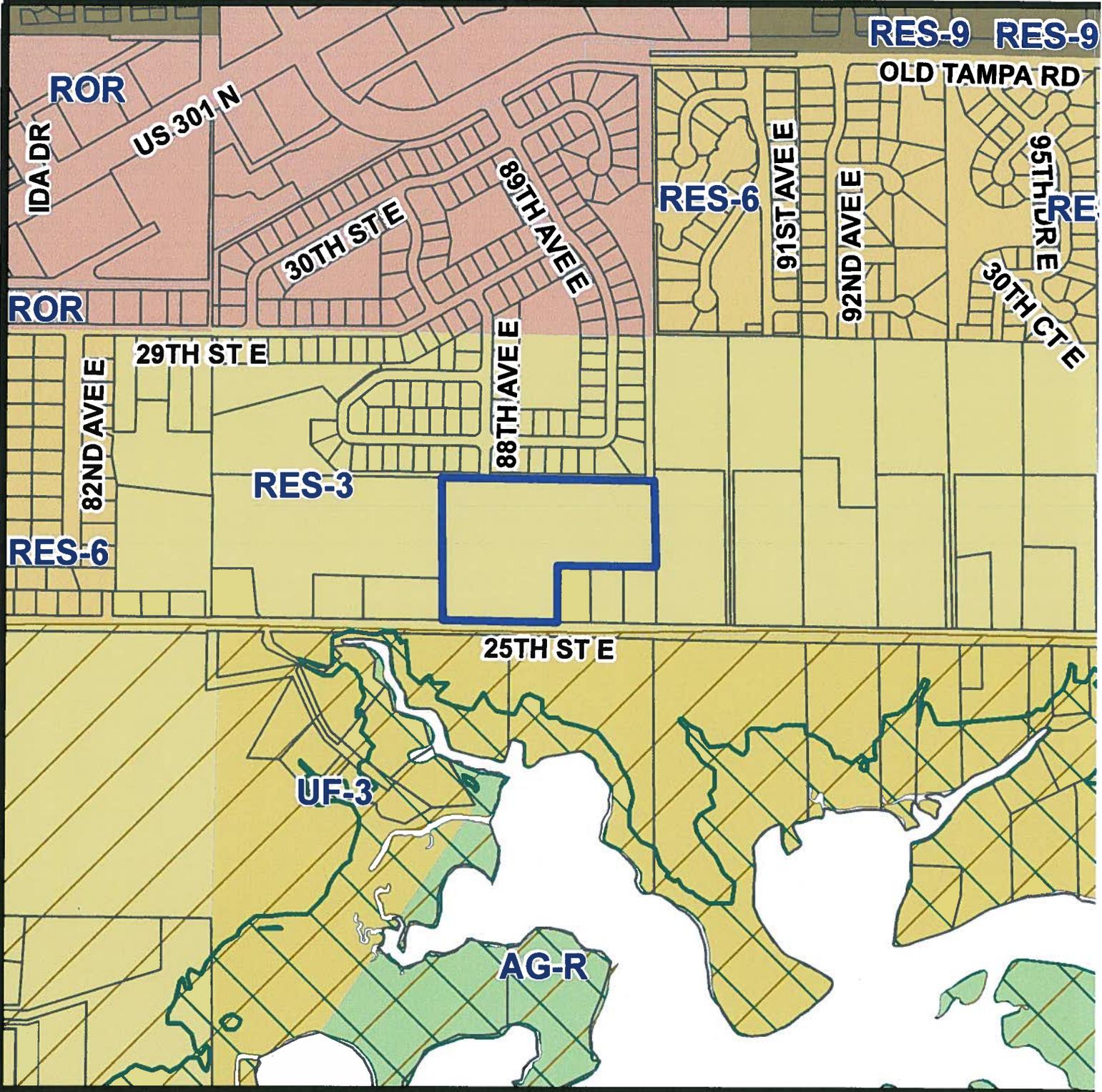
Check appropriate box

REVIEWED

	Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials:)
<input checked="" type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Staff report for PDR-11-03(Z)(P)		N/A	
COST:	n/a	SOURCE (ACCT # & NAME):	n/a
COMMENTS:		AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	

FUTURE LAND USE



Parcel ID #(s) 842802001

Project Name: Springfield Subdivision
 Project #: PDR-11-03 (Z)(P)
 DTS#: 20110023
 Proposed Use: Residential

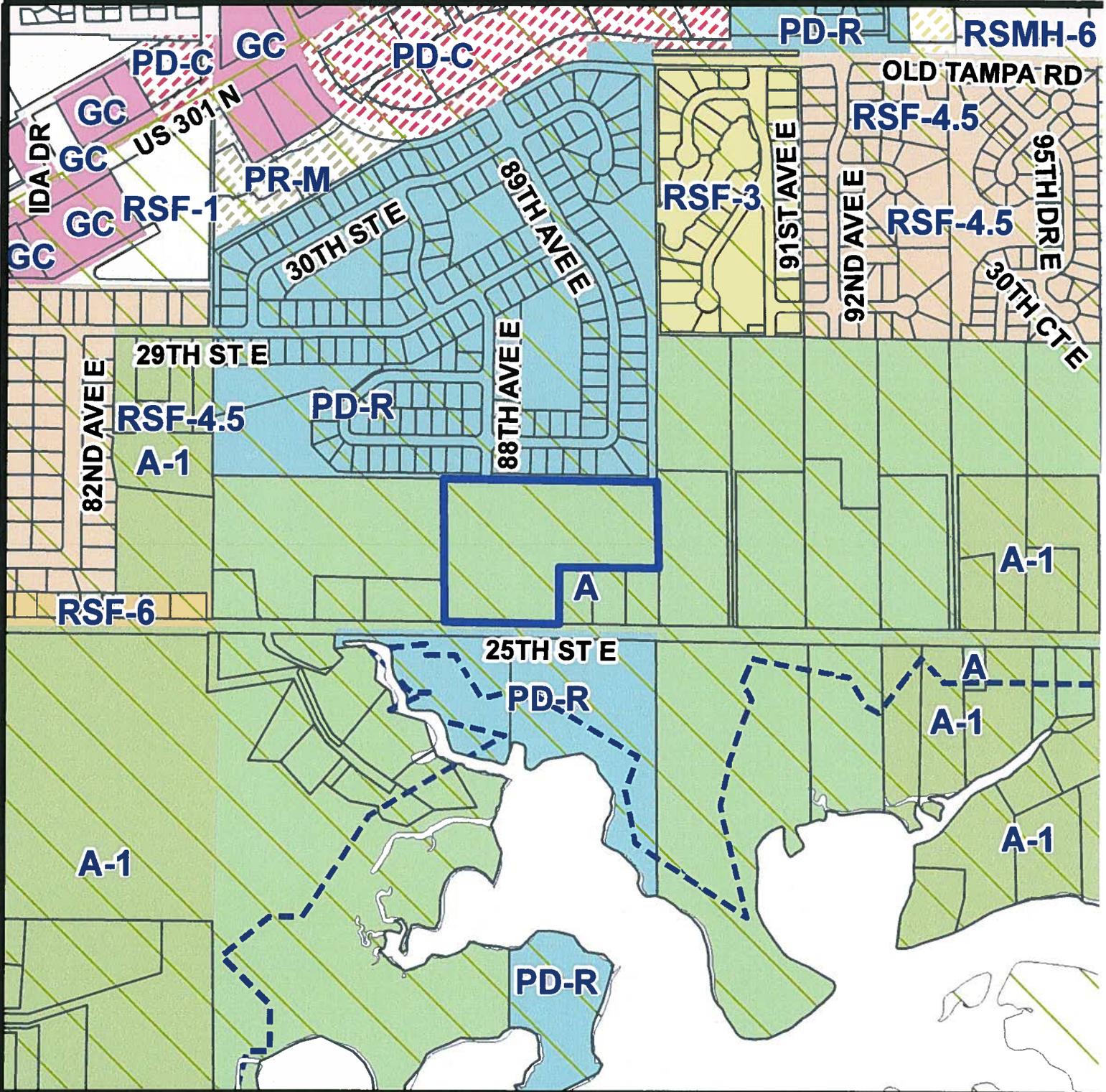
S/T/R: Sec 11 Twn 34 Rng 18
 Acreage: ± 11.90
 Existing Zoning: A
 Existing FLU: RES-3
 Overlays: NCO
 Special Areas: NONE

CHH: NONE
 Watershed: NONE
 Drainage Basin: MIDDLE MANATEE R
 Commissioner: Larry Bustle

 Coastal Evacuation Area
 CHH - FLU (2008)

 Manatee County
 Staff Report Map
 Map Prepared 3/11/2011
 1 inch = 620 feet

ZONING



Parcel ID #(s) 842802001

Project Name: Springfield Subdivision
 Project #: PDR-11-03 (Z)(P)
 DTS#: 20110023
 Proposed Use: Residential

S/T/R: Sec 11 Twn 34 Rng 18
 Acreage: ± 11.90
 Existing Zoning: A
 Existing FLU: RES-3
 Overlays: NCO
 Special Areas: NONE

CHH: NONE
 Watershed: NONE
 Drainage Basin: MIDDLE MANATEE R
 Commissioner: Larry Bustle

Manatee County
 Staff Report Map
 Map Prepared 3/11/2011
 1 inch = 620 feet

Overlays

 North Central Overlay

AERIAL



Parcel ID #(s) 842802001

Project Name: Springfield Subdivision
Project #: PDR-11-03 (Z)(P)
DTS#: 20110023
Proposed Use: Residential

S/T/R: Sec 11 Twn 34 Rng 18
Acreage: ± 11.90
Existing Zoning: A
Existing FLU: RES-3
Overlays: NCO
Special Areas: NONE

CHH: NONE
Watershed: NONE
Drainage Basin: MIDDLE MANATEE R
Commissioner: Larry Bustle



Manatee County
Staff Report Map

Map Prepared 3/11/2011
1 inch = 620 feet

P.C. 06/09/11

PDR-11-03(Z)(P) – Shunn-shion Chung/Springfield Subdivision
(DTS #20110023/B000030)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of 11.90± acres on the north side of 25th Street East (Lyntnor Road), approximately 2,380 feet east of 80th Avenue East (Royal Palm Way), Parrish from the A/NCO (General Agriculture/North Central Overlay) to the PDR/NCO (Planned Development Residential/North Central Overlay) zoning district; and approval of a Preliminary Site Plan for 26 single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 06/09/11

B.O.C.C.: 08/04/11

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, 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. PDR-11-03(Z)(P); and APPROVAL of the Preliminary Site Plan with Stipulations A.1 – A.2, B.1-B.5, and C.1; GRANTING Special Approval for a project in the RES-3 Future Land Use Category, as recommended by staff.

PROJECT SUMMARY	
CASE#	PDR-11-03(Z)(P) – DTS #20110023/B000030
PROJECT NAME	Shunn-shion Chung/Springfield Subdivision
APPLICANT(S):	Shunn-shion Chung
PROPOSED ZONING:	<ul style="list-style-type: none"> • PDR/NCO (Planned Development Residential/North Central Overlay)
EXISTING ZONING:	<ul style="list-style-type: none"> • A/NCO (General Agriculture/North Central Overlay)
PROPOSED USE(S):	26 single-family detached residences
CASE PLANNER:	Katie LaBarr, AICP
STAFF RECOMMENDATION:	APPROVAL

DETAILED DISCUSSION

Request

The request is for a rezone of approximately 11.90 acres from A/NCO (General Agriculture/North Central Overlay) to PDR/NCO (Planned Development Residential /North Central Overlay), located on the north side of 25th Street East (Lyntnor Road), approximately 2,308 feet east of 80th Avenue East (Royal Palm Way), and north of the Manatee River in Parrish. Along with the rezone to PDR, the applicant requests Preliminary Site Plan approval for 26 single-family lots. The proposed minimum lot size is 75' x 135'. The applicant also proposes a 2,000 square foot minimum living area building size to conform with deed restrictions in effect in Parkwood Lakes Subdivision to the north. The proposed lots range in size from a minimum of 8,845 sq. ft. to 17,821 square feet. The gross density is 2.18 dwelling units per acre. Development will occur in one phase.

The subject property is located in an area that is transitioning from agricultural to residential use. The site is currently vacant and was previously used for cattle grazing. There is a cattle pond along the western property boundary. To the east and west are single-family homes and active agriculture. To the north is Parkwood Lakes Subdivision.

The roads within this subdivision are proposed to be public. The entrance into the Springfield Subdivision is from 25th Street East (Lyntnor Road). The site plan shows an inter-neighborhood tie to connect to 88th Avenue East in Parkwood Lakes Subdivision. Staff is in support of this inter-neighborhood tie, because the stub-out was located in Parkwood Lakes

when it was developed. The proposed design of the roadways in this subdivision provide for traffic calming measures, so the roadway should not be a true cut-through to Parkwood Lakes.

The site plan shows a 0.10 acre community recreation area near the center of the site, adjacent to the dry detention pond. The applicant proposes to include a barbeque facility within this recreation area for residents.

This site plan meets the requirements of the North Central Overlay District. The roadway buffer along 25th Street East is 50' wide. The perimeter buffers to the north, east, and west are 20' wide. The site plan also shows the required 35' active agriculture setback for residential structures.

History

This site was the subject of a previous application, PDR-01-22(Z)(P) – William Lintner/Springfield. The Planning Commission recommended denial of the application, and the Board of County Commissioners eventually denied the request on July 29, 2003. This application predated the North Central Overlay regulations for the Parrish area. The proposed density was also greater than what is currently being requested (30 lots at a gross density of 2.94 dwelling units per acre vs. 26 lots with a gross density of 2.18 dwelling units per acre).

The applicant held a neighborhood meeting on Tuesday, April 12, 2011. Residents raised concerns about traffic circulation in the area, particularly the safety of intersections at 80th Avenue East and US 301 and 89th Avenue East and Old Tampa Road. They are also concerned that 25th Street East and 80th Avenue East do not meet standards that will support additional development. While the specific concerns are currently being reviewed by the applicant, Traffic Engineering staff have reviewed the above mentioned roadways and found them to meet minimum standards.

Residents are concerned that the proposed inter-neighborhood tie to Parkwood Lakes will reduce the safety of the roadways within Parkwood Lakes. LDC Section 907.9.1.3 states that local streets are to be extended to the property limits of the subdivision to allow for the logical future extension of the streets into adjacent undeveloped land and to new and existing adjacent developments to complete the inter-neighborhood road system ties. 88th Avenue East was extended to the property line when Parkwood Lakes was developed, in accordance with LDC Section 907.9.1.3. From a public safety standpoint, staff supports inter connections of roadways to offer options for access into developments. Providing this inter-neighborhood tie will further advance the inter-connectivity of the neighborhoods in the area. Furthermore, subdivisions to the east, Old Tampa Estates, and Pleasant Oaks Estates, have inter-neighborhood ties to the south into undeveloped land. Staff encourages support of this recommendation to promote the interconnectivity of the local roadway network in this area of the county.

Some residents also raised concerns about the transition of grades between the proposed site and adjacent properties. The applicant provided responses to staff indicating that there is an existing ditch (determined to be an Other Surface Water by Steinbaum & Associates) just off-site to the east which intercepts flows and conveys water to the 25th Street East drainage system. There is also a proposed interceptor swale along the west property line to convey offsite flows to the 25th Street East drainage system. There are large 35' active agricultural setbacks provided along the east and west property lines which will provide for a slope transition area. Additionally, there is a 50' roadway landscape buffer along the southern property line to provide for a slope transition area. The lots are proposed to be laid out with the high point at the center of the lot for the back half of the lot to drain to either stormwater ponds or drainage conveyance swales that flow to the stormwater ponds. This provides an area for slope transition. The lot depth for lots 1, 2, and 3 are deep enough, so if the applicant is required to shift the pond east to accommodate slopes for the interceptor swale, there will be adequate room to accommodate this shift. Although the high point is shown at the middle of the lots that abut Parkwood Lakes Subdivision, if it makes sense based on the elevations of their lots to shift the high point to the north property line and drain that row of lots south to the street curb, the applicant can make that adjustment during the construction plan design process.

Recommendation

Staff finds the request to be consistent with the Manatee County Comprehensive Plan and Land Development Code. The PDR zoning district better conforms to the RES-3 Future Land Use Category of the Comprehensive Plan than the existing A zoning (1 dwelling unit/5 acres).

The density proposed for this subdivision is 2.18 du/ac, and is less than the existing density in Parkwood Lakes to the north (2.57 du/ac) and Foxchase to the east (2.56 du/ac). A 20' perimeter buffer is provided along the north, east, and west property lines, providing separation and transition to the adjacent sites. The site plan also shows the 35' active agriculture setback, providing further separation between the active agriculture uses to the east and west and the proposed residential use.

Staff recommends approval of this request subject to the staff recommended stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA

ADDRESS:	25th St E (Lyntnor Rd) in Parrish
GENERAL LOCATION:	On the north side of 25th St E (Lyntnor Road), approximately 2,380 feet east of 80th Ave E (Royal Palm Way), and immediately south of Parkwood Lakes Subdivision
SIZE:	11.90 ± acres
EXISTING USE(S):	Vacant

FUTURE LAND USE CATEGORY:	RES-3 (Residential, 3 du/ac)	
DENSITY:	2.18 gross – 2.69 net	
SPECIAL APPROVAL(S):	Density exceeding 2 du/ac	
OVERLAY DISTRICT(S):	North Central Overlay (NCO)	
SPECIFIC APPROVAL(S):	NONE	
SURROUNDING USES & ZONING		
NORTH	Parkwood Lakes Subdivision zoned PDR/NCO	
EAST AND WEST	Single family residences and active agriculture zoned A/NCO (General Agriculture/North Central Overlay)	
SOUTH	Across 25th Street East, CNL Bank/Bayou Pointe Estates zoned PDR/NCO (Planned Development Residential/North Central Overlay & PDR/NCO/CH (Planned Development Residential/North Central Overlay/Coastal High Hazard Overlay)	
SITE DESIGN DETAILS		
LOT SIZE(S):	Minimum Lot Size = 8,845 square feet Maximum Lot Size = 17,821 square feet Minimum Lot Width = 75'	
SETBACKS:	Front	25' (front loaded garage) 20' (side loaded garage)
	Side	8'
	Rear	20' Except Lot 18 – 15'
OPEN SPACE:	4.15 acres – 35.17%	
RECREATIONAL AMENITIES:	Community Recreational area with optional barbeque facility	
RECREATIONAL ACREAGE:	0.10 acres = community recreational area with optional barbeque facility	
BUFFERS:	50' Roadway 20' Perimeter	
ACCESS:	25th Street East (Lyntnor Rd)	
FLOOD ZONE(S)	X, per FIRM Panel 120153 0215C, revised 7/15/92	

AREA OF KNOWN FLOODING	No
UTILITY CONNECTIONS	<ul style="list-style-type: none"> • 8" potable water main along 25th St. E. • 8" potable water main along the abutting 88th Ave. E. ROW • 8" sanitary gravity sewer within the abutting 88th Ave. E. roadway • 6" sanitary sewer force main along the abutting 88th Ave. E. ROW • Gravity line app • roximately 1,300 feet to the west on 25th St. E.

ENVIRONMENTAL INFORMATION

WETLAND ACREAGE & IMPACTS

Overall Wetland Acreage:	No wetlands on site
Proposed Impact Acreage:	None

Wetlands

The environmental consultant, Steinbaum & Associates, has indicated that the existing onsite pond and adjacent ditch are not classified as jurisdictional wetlands. Staff recommends stipulations regarding verification of the jurisdictional status of these features with the Final Site Plan submittal. Staff understands that no wetland impacts are proposed.

Upland Habitat

No native upland habits exists onsite.

Threatened and Endangered Species

An eagle's nest is located approximately 500 feet south of this site. Staff recommends a stipulation to ensure that the Final Site Plan will be designed in accordance with FWC guidelines in effect for this species.

Trees

Approximately 3 desirable trees are located onsite in the proximity of the perimeter buffer. Four existing Australian Pines, a nuisance species, are proposed to be

removed.

Water Quality/Contamination

This project is not expected to involve water quality concerns.

Archaeological Resources

The site is in an area of moderate archaeological site potential. The applicant will be required to submit a Cultural Resource Assessment Survey for the site prior to Final Site Plan approval.

NEARBY DEVELOPMENT

PROJECT	LOTS / UNITS	DENSITY	FLUC	APPROVED
Winterland Estates	43	2.17	RES-6	1982
Foxchase	43	2.56	RES-6	1988
Parkwood Lakes	184	2.57	ROR & RES-3	1993
Old Tampa Estates	33	1.73	RES-6	2006
Bayou Pointe Estates	10	0.51	UF-3/AG-R	2010

POSITIVE ASPECTS

- The RES-3 Future Land Use Category anticipates moderate density suburban or a low density urban, residential environment.
- The rezone will provide for conversion of agricultural property to residential with installation of a stormwater system that will provide treatment of stormwater runoff near the Manatee River.

NEGATIVE ASPECTS

- Compatibility with adjacent A zoning an issue.

MITIGATING MEASURES

- There are several lots in the surrounding area that are less than 1 acre.
- A 50' roadway buffer is provided.
- A 20' perimeter buffer is provided.
- A 35' active agriculture setback is provided.

STAFF RECOMMENDED STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

- 1. Prior to Final Site Plan approval, the applicant shall submit a Cultural Resources Assessment Survey, due to the potential for archaeological resources in the area.**
- 2. At time of Final Site Plan approval, the applicant shall ensure compliance with all applicable NCO requirements of LDC Section 604.10.**

B. ENVIRONMENTAL CONDITIONS:

- 1. A copy of the Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted for review prior to Final Site Plan approval.**
- 2. The applicant has indicated that no jurisdictional wetlands are located within this project area. Should wetlands be identified on or adjacent to this site, all applicable wetland and wetland buffer requirements as required by the Land Development Code shall be adhered to at the time of Final Site Plan submittal.**
- 3. A Bald Eagle's nest is located approximately 500 feet south of this project. The Final Site Plan shall be designed in accordance with current "Bald Eagle Management Plan" guidelines (as adopted by the Florida Fish and Wildlife Conservation Commission).**
- 4. Existing native vegetation located within any required landscape buffer shall be preserved to the greatest extent possible. The Final Site Plan shall reflect no improvements (i.e., swales, irrigation lines or landscaping materials) located within the driplines of the trees designated to remain near the eastern project boundary.**
- 5. This project is located within the North Central Overlay District. Landscaping shall comply with applicable aspects of Section 604.10 of the LDC.**

C. OTHER:

- 1. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan, and shall include language informing prospective homeowners in the project of the:**

- a) A and A-1 zoning districts adjacent to this property on 25th St. E. and potential agricultural uses and operations permitted which may impact residents with noise and odor.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

None

COMPLIANCE WITH LDC

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
50' roadway buffer	50'	Y		Shown on site plan
20' perimeter buffer to the north, east, and west	20'	Y		Shown on site plan
35' Agriculture Buffer	35'	Y		Shown on site plan
Buffer landscaping			N	Recommended stipulation to ensure compliance with NCO requirements; to be verified with FSP.
TREES				
Tree replacement/removal		Y		No tree removal proposed
SIDEWALKS				
5' internal sidewalks	Shown	Y		
5' sidewalk, exterior	Shown	Y		
ROADS & RIGHTS-OF-WAY				
50' internal rights-of-way		Y		Streets to be public
Dedicate ± 42' Half ROW along 25 th St. E.	Shown	Y		42' half identified on Sheet 2
Inter-neighborhood Ties	Shown	Y		Tie to Parkwood Lakes Subdivision to the north
ENVIRONMENTAL ISSUES				
Exotic species removal	Shown	Y		
Wetland buffer signs				N/A
25% Open space	35.17%	Y		Exceeds minimum

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE
SECTION 603.4 - REZONE CRITERIA**

Physical Characteristics. The 11.90± acre parcel is suitable for the development proposed without hazard to person or property, on or off site as proposed. The site is presently vacant pastureland. The proposed zoning will allow for the development of 26 fully improved residential single-family lots including water, sewer, roads, and sidewalks. Approximately 3.45 acres, or 29.24% of the development includes upland open space. When wet retention ponds are included, 4.15 acres, or 35.17% of the development serves as open space. Existing topographic spot elevations, along with SWFWMD maps indicate site topography is generally flat and the land slopes generally from the northeast to the southwest where an existing Other Surface Water (OSW) pond is located. A field investigation performed on the property by Steinbaum & Associates, Inc. on 11/29/01 with Max Dromgoole of SWFWMD resulted in the OSW determination; that report was subsequently updated by Steinbaum & Associates on 4/16/11. The Soil Conservation Service soils maps show the bulk of the site contains EauGallie, a predominant upland soil in Manatee County with a pocket of Delray soil (also an upland soil) in the Other Surface Water area. The stormwater system will be designed to accommodate filtration and storage requirements. Construction Plan approval is contingent upon meeting the stormwater requirements of the Land Development Code and obtaining a SWFWMD permit.

Public Utilities, Facilities and Services. Roads are proposed to be publicly maintained. A potable water line is proposed to tie into the existing 8" water main located along the north side of 25th Street East and sanitary sewer gravity mains will tie into the existing manhole located on 88th Avenue East, with an existing lift station just east of the manhole tie-in. The planned 50-foot wide public road right-of-way will contain a 24-foot wide road with curb and gutter, sanitary sewer gravity mains, stormwater pipes, a potable water main, and 5' sidewalk along one side of the street throughout the development. Reclaimed water is not yet available in this area.

A traffic impact statement was submitted and approved. Additional analysis is not required, because the anticipated impacts associated with the proposed development are minimal. Applications for Certificate of Level of Service Compliance for solid waste, transit, traffic, and parks have been reviewed and are pending Preliminary Site Plan approval. There are no required improvements to the existing roadway network to meet concurrency.

A Statement of School Needs was obtained from the Manatee County School Board Planner with the submittal of the Preliminary Site Plan. This development could result in the addition of 4 elementary students, 2 middle-school students, and 3 high-school students for a total increase of approximately 9 students. Capacity exists within School Service Area 1 to accommodate the increases anticipated by this residential development.

Major Transportation Facilities. The project will have direct access from 25th Street East a local rural County roadway. The project will dedicate 9.5' right-of-way to provide the 42' half R/W required. The project will also tie into the inter-neighborhood tie to the north of 88th Avenue East from the Parkwood Lakes Subdivision. 88th Avenue East is a local urban public roadway.

Compatibility. The site is in the North Central Overlay District of Manatee County, on the north side of 25th Street East (Lytner Road), approximately 1,500 feet east of Winterland Estates Subdivision.

An existing development, Parkwood Lakes, is adjacent to this site to the north and is zoned PDR/NCO. Parkwood Lakes was approved in 1993 and has a gross density of 2.57 dwelling units per acre.

Adjacent properties to the east and west are zoned A/NCO, and have single-family homes, agricultural uses, and vacant land.

Bayou Pointe Estates, a recently approved development is zoned PDR/NCO and PDR/NCO/CH and is across 25th Street East to the south. The project density is 0.5du/ac.

The majority of the surrounding area is zoned A-1 (Suburban Agriculture) and A (Agriculture) with a mixture of large lot residential parcels and agricultural tracts. Further to the north and west are subdivisions zoned RSF-2, RSF-3, RSF-4.5, RSF-6 and PDR.

PDR zoning requires approval of a site plan by the Board of County Commissioners to address any specific compatibility concerns. PDR zoning also provides greater flexibility for the project to establish appropriate heights, buffers, and setbacks to help mitigate any compatibility and transition concerns, including potential adverse impacts caused by adjacent agricultural properties. PDR zoning can be found to be compatible with surrounding land uses and zoning. The site plan reflects North Central Overlay District standards, which include a 50 foot roadway landscape buffer along 25th Street East and 20' landscape buffers along all other sides of the site. A 35' agricultural buffer setback is provided along the east and west property boundaries, which are contiguous to agricultural zoning. A large wet stormwater pond is shown along the west property line to provide for separation from the adjacent property which is currently a residence with a horse farm and is the largest and therefore the lowest density property that is adjacent to this site.

The proposed lot sizes are substantial enough to meet or exceed yard and setback requirements. The minimum front yard setback is 25' (for a front loaded garage) 20' (for a side-loaded garage), the minimum side yard setback is 8', and the minimum rear yard setback is 20', except for Lot 18, which is 15' to provide for an adequate lot depth for the construction of a home site. All yards and setbacks are shown on the Preliminary Site Plan. Required landscape buffers (greenbelt and roadway) will be provided as required by Sections 603.7.4.5 and 715.3.2.1 as well as the North Central Overlay District requirements in LDC 604.10. There are very few existing trees on this site. The applicant

intends to preserve most of the existing trees on site, with the exception of the four Australian pine trees, which are a nuisance species. A tree survey is included on the Landscape Plan.

Transition. The character of this area is transitional from agricultural to low density residential. The project has been designed to conform and be compatible with newer developments in the area, while, at the same time, adhering to the required Planned Development criteria. A large wet stormwater pond is shown along the west side of the site to provide a buffer to transition with that use. A dry detention pond is also located along the southeastern property boundary, providing for additional separation and transition from the residential development to agriculturally zoned properties.

Design Quality. The quality of the design of this proposed development complies with applicable Land Development Code Requirements. In addition to those requirements, additional stipulations have been agreed to, which will further ensure that the proposed design adequately accounts for specific site conditions and adjacent, existing uses.

Adjacent Property. As mentioned above, the project is designed with sensitivity to the surrounding properties. These include the preservation of existing trees, 20' perimeter buffers along the north, east, and west property lines, in accordance with NCO standards, providing a 35' active agricultural setback, providing larger lot sizes and greater building setbacks than required for PDR projects, and locating stormwater facilities in areas to minimize the visual impacts of this residential development on nearby and adjacent agriculturally zoned or used properties.

An inter-neighborhood tie is proposed to the north to connect to 88th Avenue East in Parkwood Lakes Subdivision.

Access. An internal roadway network is proposed, with direct access to 25th Street East. An inter-neighborhood tie is proposed to connect to 88th Avenue East. All vehicular access will comply with MUTCD, AASHTO, and traffic engineering principles.

Streets, Drives, Parking and Service Areas. The project will have direct access from 25th Street East, a local rural County roadway. The project will dedicate 9.5' of right-of-way to provide the 42' half right of way required. The project will also connect to the inter-neighborhood tie at 88th Avenue East to the north, connecting to Parkwood Lakes Subdivision. 88th Avenue East is a local urban public roadway.

Sidewalks are included within this development and their design will comply with LDC Sections 722 and 727. Prior to approval of the Final Plat, roadway and infrastructure construction and materials will meet the requirements of the Manatee County Public Works Department.

Pedestrian Systems. The site plan shows sidewalks on one side of the internal roadway, as well as along the north side of 25th Street East along the property frontage. Sidewalks and pedestrian ways have been designed to provide continuous pedestrian movement

throughout the neighborhood. Design of the sidewalks will comply with LDC Sections 722 and 727.

Natural and Historic Features, Conservation and Preservation Areas. There are no wetlands onsite; therefore, there are no wetland impacts proposed.

Historically, the property has been used for agricultural uses.

The site is not located within a historical overlay district and is not known to contain any archaeological features; however, an archaeological report will be provided during the Final Site Plan process because the Piper Predictor Model indicates the area has moderate archaeological potential.

There are very few existing trees on this site. The applicant intends to preserve most of the existing trees on site, with the exception of the four Australian pine trees, which are a nuisance species.

Density/Intensity. The proposed development yields a gross density of 2.18 dwelling units per acre and a net density of 2.69 dwelling units per acre. Special Approval is required for all projects in the RES-3 FLUC that exceeds a gross density of 2 dwelling units per acre

Height. The proposed development will comply with the height requirement of the LDC. No residence will exceed 35 feet in height.

Fences and Screening. A 50' roadway buffer is provided along the property frontage. A 20' perimeter buffer is provided along all other property boundaries. These buffers will be designed to meet NCO requirements.

Yards and Setbacks. The minimum setbacks are 25' (front loaded garage); 20' (side loaded garage) front, 8' side, and 20' rear with the exception of one lot (Lot 18) which is 15 feet. All yards and setbacks are shown on the site plan.

Trash and Utility Plant Screens. There are no proposed plant screens. Trash will be collected utilizing individual cans, which will be stored accordingly.

Signs. The signage for the project will be located near the entry to this site along 25th Street East and will comply with the requirements of LDC Section 724 and NCO Requirements in LDC Section 604.10.

Landscaping. All proposed landscaping, as discussed above, will meet or exceed the requirements of the LDC.

Water Conservation. The plan promotes water conservation by utilizing existing vegetation areas as buffers, where possible, and retaining stormwater on-site.

Utility Standards. Connections to existing Manatee County potable water and sanitary sewer systems are proposed. All utility infrastructure will be constructed in accordance with Manatee County and Florida Department of Environmental Protection standards.

Stormwater Management. The design of the stormwater facility will meet or exceed the requirements of LDC Section 717 and the adopted Manatee County Development Standards for the treatment of stormwater. The management of the stormwater facility will comply with the regulations of SWFWMD and LDC Section 717, as applicable.

Open Space. The proposed plan provides for 4.15 acres of open space or 35.17% of the development, which exceeds the required 25% minimum open space.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in RES-3 Future Land Use Categories. 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 timing is appropriate given development trends in the area, currently agricultural land. This area is in transition from agricultural to low density residential.

Policy 2.2.1.10.1 Intent (RES-3). This project complies with the intent of the RES-3 category, which is for a moderate-density suburban, or a clustered low density urban, residential environment.

Policy 2.2.1.10.2 Range of Potential Uses (RES-3). Residential uses are in the range of potential uses.

Policy 2.6.1.1 Compatibility. This site is adjacent to a developed residential subdivision zoned PDR/NCO to the north. Nearby residential development also exists to the northeast and northwest of this site. The properties immediately to the east and west of this site have A zoning. However, the site plan complies with all NCO requirements for buffering, and stormwater facilities have been located in such a way to provide for additional separation, where possible. The density proposed for this site (2.18 du/ac) is less than other nearby developments, particularly Parkwood Lakes (2.57 du/ac). It does, however, require Special Approval because the density exceeds 2 dwelling units per acre in the RES-3 FLUC.

Policy 2.6.5.5 Preserve/Protect Open Space. The site plan shows 4.12 acres of open space, which exceeds the 25% required by PDR zoning.

CONCURRENCY			
CLOS APPLIED FOR: Y <input checked="" type="checkbox"/> N <input type="checkbox"/> TRAFFIC STUDY REQ'D: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>			
AFFECTED ROADWAY	LINK(S)	ADOPTED LOS	IMPROVEMENTS REQUIRED Y / N
US 301	80 th St. E. – 25 th St. E.	C	N
REQUIRED IMPROVEMENTS: 1. No transportation improvements required to meet concurrency.			
Wastewater and potable water determined with FSP/Construction Plans			
SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS			
N/A			
ATTACHMENTS			
1. Applicable Comprehensive Plan Policies 2. Zoning Disclosure Affidavit 3. Copy of Newspaper Advertising			

APPLICABLE COMP PLAN POLICIES

Policy: 2.1.2.3	Permit the consideration of new residential and non-residential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development if compatible with future areas of development.
Policy: 2.1.2.7	<p>Review all proposed development for compatibility and appropriate timing. This analysis shall include:</p> <ul style="list-style-type: none"> - consideration of existing development patterns, - types of land uses, - transition between land uses, - density and intensity of land uses, - natural features, - approved development in the area, - availability of adequate roadways, - adequate centralized water and sewer facilities, - other necessary infrastructure and services. - limiting urban sprawl - (See also policies under Objs. 2.6.1 - 2.6.3)
Policy: 2.2.1.10	RES-3: Establish the Residential-3 Dwelling Units/Gross Acre future land use category as follows:
Policy: 2.2.1.10.1	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 moderate-density suburban, or a clustered low density urban, residential environment. Also, to provide a complement of residential support uses normally utilized during the daily activities of residents of these moderate density suburban, or low density urban areas.
Policy: 2.2.1.10.2	Range of Potential Uses (see Policies 2.2.1.5, 2.1.2.3 - 2.1.2.7): 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:	2.2.1.10.3	Range of Potential Density/Intensity:
		Maximum Gross Residential Density: 3 dwelling units per acre
		Minimum Gross Residential Density: 2.5 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: 6 dwelling units per acre
		9 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 2.3.1.5 and 4.3.1.5)
		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 (150,000sf)
Policy:	2.2.1.10.4	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 density exceeds 2.0 dwelling units per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval. c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.
Policy:	2.6.1.1	Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:

- use of undisturbed or undeveloped and landscaped buffers
- use of increased size and opacity of screening
- increased setbacks
- innovative site design (which may include planned development review)
- appropriate building design
- limits on duration/operation of uses
- noise attenuation techniques
- limits on density and/or intensity [see policy 2.6.1.3]

Policy: 2.6.5.5

Ensure urban infill projects are compatible to their setting and designed to contribute to the overall enhancement of the existing neighborhood. Compatibility consideration will include building massing, vertical character and setbacks within the existing urban neighborhood. Urban neighborhood projects shall preserve the street grid pattern, on street parking and sidewalks characteristic of existing urban neighborhoods.

Policy: 7.1.3.1

Require that all land development applications requiring site plan, or subdivision plat review address the occurrence or potential occurrence of historical and archaeological resources within their property boundaries.

Policy: 7.1.3.2

Prohibit the destruction and/or disturbance of any significant historical or archaeological resource site except to allow data recovery or archaeological excavation activities approved by the Florida Department of State, Division of Historical Resources.

**MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
ZONING DISCLOSURE AFFIDAVIT**

Project name: Springfield Subdivision

The Manatee County Land Development Code 90-01, as amended requires that all applications for Zoning Atlas Amendments shall include public disclosure of applicants and their percentage of interest.

If the property is owned by a CORPORATION, list the principal officers and principal stockholders and the percentage of stock owned by each.

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

If the property is in the name of a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the principals below, including general and limited partners.

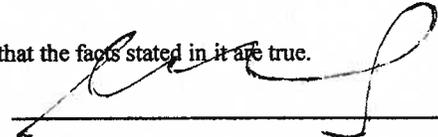
If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. This is in addition to the list of owners.

FOR ANY CHANGES OF OWNERSHIP OR CHANGES IN CONTRACTS FOR PURCHASE SUBSEQUENT TO THE DATE OF THE APPLICATION, BUT PRIOR TO THE DATE OF FINAL PUBLIC HEARING, A SUPPLEMENTAL DISCLOSURE OF INTEREST SHALL BE FILED.

Disclosure shall not be required of any entity whose interests are solely equity interest which are regularly traded on an established securities market in the United State or another country.

<u>NAME, ADDRESS AND OFFICER</u>	<u>PERCENTAGE STOCK, INTEREST OR OWNERSHIP</u>
Check if owner (X) or contract purchaser ()	
<u>Shunn-shion Chung</u>	<u>100%</u>
_____	_____
_____	_____

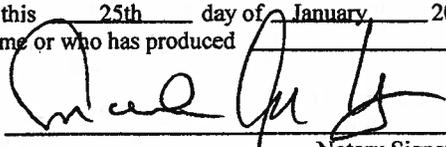
Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature: 

(Applicant): Shunn-shion Chung

STATE OF FLORIDA
COUNTY OF Manatee

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 25th day of January, 2011, by Shunn-shion Chung, who is personally known to me or who has produced _____ as identification.
(type of identification)


Notary Signature

My Commission Expires: 11/30/2012

Marla M. Hough
Print or type name of Notary

DD841756

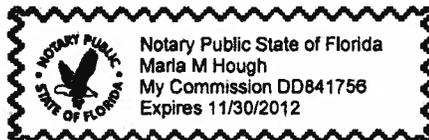
Notary Public

Commission No: _____

Title or Rank

Revised 2/8/10

B-4



NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, June 9, 2011 at 9:00 a.m.** at the **Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida** to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matter:

PDR-11-03(Z)(P) - SHUNN-SHION CHUNG/SPRINGFIELD SUBDIVISION (DTS #200110023/B000030)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of ± 11.91 acres on the north side of 25th Street East (Lyntnor Road), approximately 2,380 feet east of 80th Avenue East (Royal Palm Way), Parrish from the A/NCO (General Agriculture/North Central Overlay) to the PDR/NCO (Planned Development Residential) zoning district, retaining the North Central Overlay District; and approval of a Preliminary Site Plan for 26 single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

All interested parties are invited to appear at this public hearing and be heard, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Building and Development Services Department will be heard and considered by the Planning Commission and entered into the record.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 2nd Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he or she will

need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

Americans With Disabilities: The Board of County Commissioners of Manatee County 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 and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County
Building and Development Services Department
Manatee County, Florida
05/26/2011

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	Ordinance 11-29 – LDC Text Amendment	TYPE AGENDA ITEM	Advertised Public Hearing – Consent
DATE REQUESTED	06/09/11 PC	DATE SUBMITTED/REVISED	06/01/11
BRIEFINGS? Who?	None	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Building and Development Services / Comprehensive Planning and Public Hearings	AUTHORIZED BY TITLE	John Osborne, Planning and Zoning Official
CONTACT PERSON TELEPHONE/EXTENSION	Robert Schmitt, AICP / 748-4501 ext. 6836	PRESENTER/TITLE TELEPHONE/EXTENSION	Robert Schmitt, AICP, Planning Division Manager / 748-4501 ext. 6836
ADMINISTRATIVE APPROVAL			

ACTION DESIRED
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

I move to recommend approval of Ordinance 11-29 per the recommended motion in the staff report attached to this memo.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

Manatee County Comprehensive Plan and Manatee County Land Development Code.

BACKGROUND/DISCUSSION

- These are County Initiated LDC changes. They involve the modification of two definitions (*Redevelopment* and *Veterinary Clinic*) within Chapter 2 and one modification to the Conditional Use criteria for *Service Stations and other Gas Pump Locations* within Chapter 7, specifically Section 704.66.
 - The definition of *Redevelopment* requires new site plan approval in some instances after a building has been vacant for more than one year. Current economic conditions have rendered several building vacant for an extended period of time. Staff wants to encourage the occupancy of these empty buildings without subjecting prospective owners/tenants to a development review process. Staff proposes to eliminate the one year vacancy provision from the definition.
 - The definition of *Veterinary Clinic* limits the overnight accommodation of household pets to ten (10). This restriction is prohibitive to veterinarians and is difficult to enforce. These temporary accommodations are necessary, especially in time of emergency. Staff proposes to remove this limitation from the definition.
 - Section 704.66 requires all establishments that sell gasoline to have 150 feet of roadway frontage along all streets. The minimum lot frontage requirement in commercial zoning districts is only 75 feet. Most establishments that sell gas are on corner lots, requiring 150 feet of frontage along both streets. Staff proposes to eliminate this frontage requirement allowing the parking, setbacks, and buffering requirements to determine the site design.

COUNTY ATTORNEY REVIEW

Check appropriate box	
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)
<input checked="" type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Staff report and Ordinance for 11-29		n/a	
COST:	n/a	SOURCE (ACCT # & NAME):	n/a
COMMENTS:		AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	

P.C. 06/09/11

ORDINANCE 11-29

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE REGARDING CHAPTER 2, DEFINITION OF REDEVELOPMENT AND VETERINARY CLINIC; AMENDING SECTION 704.66 REGARDING LOT WIDTH REQUIREMENTS FOR SERVICE STATIONS AND OTHER GAS PUMP LOCATIONS; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

P.C.: 06/09/11

B.O.C.C.: 08/04/11

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan, I move to recommend ADOPTION of Manatee County Ordinance 11-29, amending the Manatee County Land Development Code (Ordinance 90-01, as amended), as recommended by staff.

Background/Discussion:

Definition of Redevelopment

- The Manatee County Land Development Code currently has a definition for redevelopment.
- The definition further provides direction when a use of a structure ceases for a period in excess of one year.
- The re-establishment of the use of a vacant structure is then subject to new site plan approval consistent with development requirements of the Land Development Code.
- Current economic conditions have created an inordinate number of vacant commercial, office, and industrial buildings. Many of these buildings have been vacant for an extended period of time.
- Staff commonly receives inquiries about occupying vacant structures and works with applicants to encourage redevelopment without substantial red tape.
- The one-year provision hinders our ability to control blight and instills unpredictability to prospective tenants. Staff has determined that it does not benefit the County, the public, or the owner/tenant to require site plan approval and compliance with current regulations in these instances.

Definition of Veterinary Clinic

- The Manatee County Land Development Code currently has a definition for Veterinary Clinic which limits care to household pets.
- The definition further regulates the number of household pets (10) that can be kept overnight.
- This restriction has proven to be prohibitive to veterinarians and nearly impossible to enforce as the animals are generally housed in cages that do not require permits.
- Structural soundproofing technology is implemented in most veterinary clinics where pets are housed.
- In case of emergency, most veterinary clinics stand ready to accept additional household pets if they are displaced. The current requirement limits their capabilities to assist.

- Staff has determined that it does not benefit the County, the public, or the veterinarians to limit the overnight accommodation capacity to ten household pets.

704.66 Conditional Use Criteria for Service Stations and other Gas Pump Locations

- The Manatee County Land Development Code has specific conditional use criteria for service stations, including convenience retail establishments that have gas pumps.
- Conditional use criteria are generally established to provide added protection for potentially incompatible land uses (i.e. buffering, setbacks).
- All commercial zoning districts that allow gasoline sales have a minimum roadway frontage requirement of 75 feet. Gasoline sales establishments are only permitted in commercial and light industrial zoning districts.
- Section 704.66 additionally requires that any establishments that sell gasoline are required to have 150 feet of roadway frontage.
- Most gasoline sales establishments are located on corner lots meaning both frontages need 150 feet.
- Staff has determined that it does not benefit the County, the public, or the owner/occupant of a gasoline retailer to adhere to this requirement on both street frontages.
- The specific changes proposed to LDC Chapter 2 and Section 704.66 are as follows:

Section 201. - Definitions.

Redevelopment shall mean the reconstruction, conversion, structural alteration or enlargement of any structure below the point where such improvement would constitute a substantial improvement. For purposes of this definition, if substantial improvement is reached, the project shall be considered as new development (See "Substantial Improvement.")

~~Should the use of a structure cease for any reason for a period of more than one year, any subsequent reconstruction, conversion, structural alteration or enlargement shall be considered as new development and therefore subject to the applicable provisions pertaining to such; except in the case of a designated historic structure.~~

In all Comprehensive Plan Land Use Categories for purposes of this definition and Policy 2.3.2.2, improvements below the Maximum Floor Area Ratio Caps shall be considered to be redevelopment, subject to the above limitations.

Veterinary Clinic shall mean any facility rendering surgical or medical treatment to small animals, primarily on an outpatient basis. ~~but having overnight accommodations for no more than ten (10) such animals.~~ Small animals shall be deemed to be ordinary household pets.

704.66. *Service Stations and Other Gas Pump Locations.*

704.66.2. *Lot Dimensions.* A service station lot shall be of adequate width and depth to meet the setback requirements of the district regulations and as set forth below. ~~but in no case shall the minimum frontage on any street be less than one hundred fifty (150) feet.~~

- The proposed amendments to the definitions of redevelopment and veterinary clinic, and the revision to the conditional use criteria for service stations and other gas pump locations in the LDC is consistent with the Comprehensive Plan.
- Staff is processing the request and recommends approval.

ORDINANCE 11-29

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE REGARDING CHAPTER 2, DEFINITION OF REDEVELOPMENT AND VETERINARY CLINIC; AMENDING SECTION 704.66 REGARDING LOT WIDTH REQUIREMENTS FOR SERVICE STATIONS AND OTHER GAS PUMP LOCATIONS; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 9, 2011, the Planning Commission, the County's Local Planning Agency, held a duly noticed public hearing to review this Ordinance and adopted a motion finding this Ordinance consistent with the Comprehensive Plan and recommending its approval; and

WHEREAS, on August 4, 2011, the Board of County Commissioners held a duly noticed public hearing to receive public comment and to review and consider this Ordinance; and

WHEREAS, after considering public comment, the recommendations of the Planning Commission and Planning staff, the Board has found this Ordinance consistent with the Comprehensive Plan and in furtherance of the public health, safety, and welfare, and has adopted the Ordinance as set forth herein.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This ordinance is enacted to carry out the purpose and intent of and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings for the adoption of this ordinance:

1. County has initiated a Land Development Code text amendment to clarify the definitions of redevelopment and veterinary clinic, and to revise Section 704.66 regarding lot width requirements for service stations and other gas pump locations; and
2. The Planning Commission as the County's Local Planning Agency has held a duly noticed public hearing on June 9, 2011 to review proposed Ordinance 11-29 and adopted a motion finding this proposed

ordinance consistent with the Comprehensive Plan and recommending its adoption to the Board of County Commissioners; and

3. The Board of County Commissioners held a duly noticed public hearing on August 4, 2011 on proposed Ordinance 11-29 to receive public comment and review and consider the Staff Report and the report of the Planning Commission on this proposed ordinance; and
4. The Board of County Commissioners after considering public comment, the recommendations of the Planning Commission and Planning staff, has found proposed Ordinance 11-29 consistent with the Comprehensive Plan and in furtherance of the public health, safety and welfare and has adopted this ordinance as set forth herein.

Section 3. Amendments. The definitions of Redevelopment and Veterinary Clinic set forth in Chapter 2, Definitions, of the Code and LDC Section 704.66, are hereby amended as follows, additional text indicated by underlining, deletions by ~~strikeout~~.

Chapter 2 Definitions:

Redevelopment shall mean the reconstruction, conversion, structural alteration or enlargement of any structure below the point where such improvement would constitute a substantial improvement. For purposes of this definition, if substantial improvement is reached, the project shall be considered as new development (See "Substantial Improvement.")

~~Should the use of a structure cease for any reason for a period of more than one year, any subsequent reconstruction, conversion, structural alteration or enlargement shall be considered as new development and therefore subject to the applicable provisions pertaining to such; except in the case of a designated historic structure.~~

In all Comprehensive Plan Land Use Categories for purposes of this definition and Policy 2.3.2.2, improvements below the Maximum Floor Area Ratio Caps shall be considered to be redevelopment, subject to the above limitations.

Veterinary Clinic shall mean any facility rendering surgical or medical treatment to small animals, primarily on an outpatient basis. ~~but having overnight accommodations for no more than ten (10) such animals.~~ Small animals shall be deemed to be ordinary household pets.

704.66. *Service Stations and Other Gas Pump Locations.*

704.66.2. Lot Dimensions. A service station lot shall be of adequate width and depth to meet the setback requirements of the district regulations and as set forth below. ~~but in no case shall the minimum frontage on any street be less than one~~

~~hundred fifty (150) feet.~~

Section 4. Codification. The publisher of the County's Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this ordinance into the Land Development Code.

Section 5. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately upon filing in the Office of the Secretary of State in Tallahassee, Florida.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the 30th day of March 2010.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: _____
Donna G. Hayes, Chairman

**ATTEST: R.B. SHORE
Clerk of the Circuit Court**

By: _____
Deputy Clerk

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended) and make a recommendation to the Board of County Commissioners as to the consistency of the proposed Ordinances with the Comprehensive Plan and as to whether the proposed ordinance should be adopted, amended with modifications, or denied.

Date: Thursday, June 9, 2011
Time: 9:00 AM or soon thereafter
Place: Manatee County Government Administrative Center
1112 Manatee Avenue West,
1st Floor Chambers

ORDINANCE 11-29

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA; REGARDING LAND DEVELOPMENT; AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); REGARDING CHAPTER 2, DEFINITIONS OF REDEVELOPMENT AND VETERINARY CLINIC; AMENDING SECTION 704.66 CONDITIONAL USES; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 11-20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING A STATEMENT OF PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); AMENDING SECTION 803.1.2.2. TO TEMPORARILY EXTEND THE REDUCTION OF EXISTING IMPACT FEES BY FIFTY PERCENT THROUGH SEPTEMBER 30, 2011; AMENDING SECTION 802 (LEGISLATIVE FINDINGS, RELIANCE UPON THE IMPACT FEE STUDY, AND INTENT) TO REFER TO THE MOST RECENT IMPACT FEE STUDY COMPLETED BY THE COUNTY; AMENDING SECTION 803 (ROADS IMPACT FEE) TO REFER TO DELETE UNNECESSARY LANGUAGE; AMENDING CHAPTER 8 OF THE LAND DEVELOPMENT CODE IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT (SECTION 183.31801, FLORIDA STATUTES), THE NEW SCHEDULE OF IMPACT FEES WILL TAKE EFFECT OCTOBER 1, 2011; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR NOTICE OF THE NEW AND AMENDED IMPACT FEES IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT; AND PROVIDING AN EFFECTIVE DATE.

The public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The public may provide written comments for the Planning Commission to consider.

Interested parties may examine the proposed Ordinances and related documents and may obtain assistance regarding these matters from the Manatee County Planning and Development Services Department, 1112 Manatee Avenue West, 1st Floor, Bradenton, Florida; telephone number (941) 748-4501 EXT. 6878; e-mail to: planning.agenda@rymanatee.org

Rules of procedure for this public hearing are in effect pursuant to Resolution 239(PC). A copy of this Resolution is available for review or purchase from the Planning and Development Services Department (see address below).

Please send comments to: Manatee County Building and Development Services Department
Attn: Project Coordinator
1112 Manatee Ave. West 2nd Floor
Bradenton, FL 34205

Written comments will be entered into the record.

For More Information: Copies of the proposed amendment will be available for review and copying at cost approximately ten (10) days prior to the public hearing. Information may also be obtained by calling 748-4501 x 6878, between 8:00 AM - 5:00 PM.

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SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

019924

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Please send comments to: Manatee County Building and Development Services Department
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1112 Manatee Ave. West 2ND Floor
Bradenton, FL 34205

All written comments will be entered into the record.

For More Information: Copies of the proposed amendment will be available for review and copying at cost approximately ten (10) days prior to the public hearing. Information may also be obtained by calling 748-4501 x 6878, between 8:00 AM - 5:00 PM.

Americans With Disabilities: The Board of County Commissioners of Manatee County 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 and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, FAX 745-3790.

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida