

# MEMORANDUM



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**To:** Lisa Barrett, Planning Division Manager  
**From:** Bobbi Roy, Planning Coordinator  
**Date:** October 9, 2013  
**Subject:** Agenda Update for the October 10, 2013 Planning Commission

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**Item #4**      **PDMU-04-51(G)(R) – Cargor Partners Investments, LLC/Curiosity Creek – Gateway Overlay Master Plan Resolution 13-105 – (Amendment to Resolution 09-223 Curiosity Creek Gateway Overlay Master Plan) DTS20130185, B00000207**  
Revised Site Plan to address setbacks along the western boundary of Parcel E – See Attached

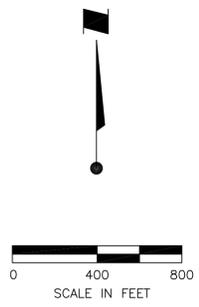
**Item #7**      **Plan Amendment PA-13-05 – (Proposed Ordinance 13-13) – Urban Service Area Plan Amendment Ordinance – See Attached**

**Item #9**      **PDC-13-33(Z)(P) – Wilson-Byrne Rezone/Dollar General DTS20130231, B00000219**  
Public Comment Letters – See Attached

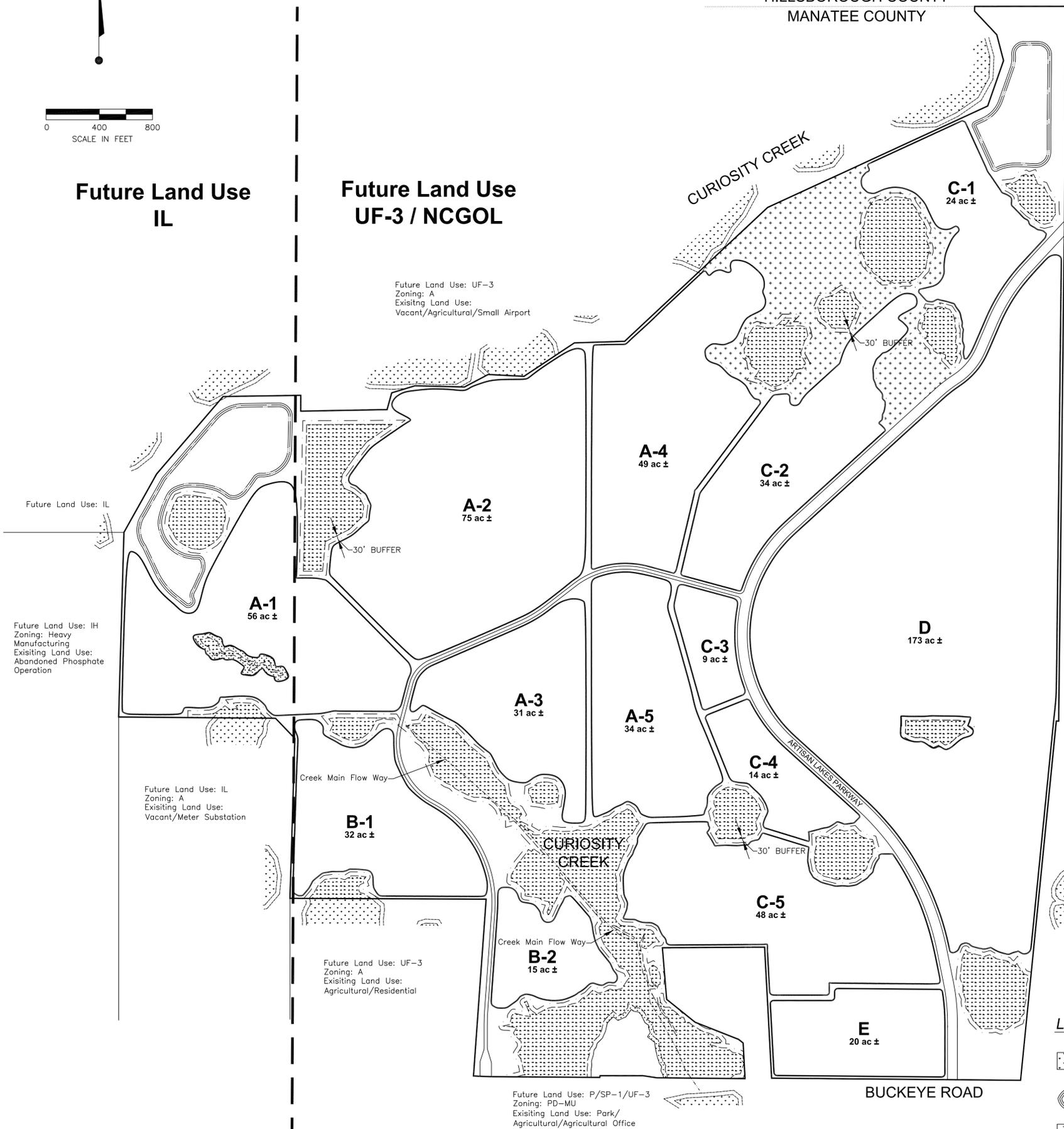
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cc:

Planning Commissioners – 7  
Bob Agrusa, Transportation Systems Engineer  
Tom Gerstenberger, Stormwater Engineering Division Manager  
Doug Means, Planning Division Manager  
Joel Christian, Environmental Review Manager  
Sarah Schenk, Assistant County Attorney  
William Clague, Deputy County Attorney  
Susan Angersoll, Development Review Specialist  
Kathleen Thompson, AICP, Planning Manager  
Stephanie Moreland, Principal Planner  
John Osborne, AICP, Planning and Zoning Official  
Shelley Hamilton, Principal Planner  
Board Records  
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HILLSBOROUGH COUNTY  
MANATEE COUNTY



**Future Land Use  
IL**

**Future Land Use  
UF-3 / NCGOL**

Future Land Use: UF-3  
Zoning: A  
Existing Land Use:  
Vacant/Agricultural/Small Airport

Future Land Use: IL

Future Land Use: IH  
Zoning: Heavy  
Manufacturing  
Existing Land Use:  
Abandoned Phosphate  
Operation

Future Land Use: IL  
Zoning: A  
Existing Land Use:  
Vacant/Meter Substation

Future Land Use: UF-3  
Zoning: A  
Existing Land Use:  
Agricultural/Residential

Future Land Use: P/SP-1/UF-3  
Zoning: PD-MU  
Existing Land Use: Park/  
Agricultural/Agricultural Office

Future Land Use: UF-3  
Zoning: A  
Existing Land Use:  
Residential/Agricultural

**LEGEND**

- Wetlands
- Lakes
- Upland Preservation

**Overview**

The Gateway Overlay Master Plan allows an alternative development program in accordance with the North County Gateway Overlay comprehensive plan category, defined for the purpose of encouraging growth consistent with the long term needs of Port Manatee and the economic health of Manatee County. The Gateway Overlay Master Plan uses listed below are allowed as an alternative to the existing approved Preliminary Site Plan, and these uses may be developed on one or more of the Parcels as shown in accordance with the Gateway Overlay development standards. The Gateway Overlay Master Plan Development may be utilized on a portion of the overall project, while still allowing development as shown on the Preliminary Site Plan in the remaining areas, or may replace the Preliminary Site Plan entirely. Development in accordance with the Gateway Overlay Master Plan may be phased.

The current Preliminary Site Plan (PSP) approval remains in full effect until such time as a revised PSP/Final Site Plan is approved for any Parcel or portion thereof, in accordance with this Gateway Overlay Master Plan. If a proposed site plan for development under the Gateway Overlay Master Plan conflicts with the Preliminary Site Plan layout, a revised Preliminary Site Plan will be submitted for administrative review and approval prior to Final Site Plan approval or application for building permit and site construction for the affected PSP area.

Gateway Overlay Master Plan Acreage is 808.39 +/- acres. The Community Service site on Buckeye Road is not included in the Gateway Overlay Master Plan.

Residential sales contracts and residential declarations of covenants and restrictions shall notify buyers of the developer's entitlements to industrial development.

**Gateway Overlay Master Plan Overlay Allowable Uses:**

|  |  |  |
|--|--|--|
| <p><b>Commercial Uses</b><br/>Retail Sales, Neighborhood Convenience, Retail Sales, Neighborhood General, Eating Establishment, Drive-Thru Eating establishment, Gas Pumps, Service Station, Bank, Bank Drive Thru, Business Services, Office, Health services: Professional Office, Clinic, Medical and Dental Laboratories, Hotels, Car Wash, Full Service, Dry Cleaners, Pick-Up, Veterinary Clinic, Printing (all), Rental Service Establishment, Sign Painting Service, Industrial Service Establishment, Motor Vehicle Repair, Major Wholesale Trade Establishment, Exterminating and Pest Control, Mini-Warehouse</p> | <p><b>Agriculture Uses</b><br/>Agricultural Research Facilities, Short Term Agricultural Uses, Agricultural Products Processing Plants, Agriculture, Animal Products Processing Facility, Sawmills, Farming Service Establishments, Farm Equipment and Supply Establishment, Bus RR Passenger Station, Heliport, Helistop, Intermodal Terminal, Motor Freight Terminal, Motor Pool Facilities, Railroad, Switching/Classification Yard, Warehouse, Lumberyard, Towing Service Establishment, Minor Earthmoving</p> | <p><b>Residential Uses</b><br/>Single Family Detached, Single Family Attached, Single Family Semi-detached, Multiple family, Security/Caretaker's Residence, College/University, Day Care Center, Day Care Facilities (Accessory), Schools, Schools of special Education, Low, Medium, High Passive, Antennas, Monopole Towers (150' Max), Post Offices, Private Community Use, Public Community Use, Utility Use, Radio, TV, Communications, &amp; Microwave Facilities</p> |
| <p><b>Commercial Uses - Services</b><br/>Bank, Bank Drive Thru, Business Services, Office, Health services: Professional Office, Clinic, Medical and Dental Laboratories, Hotels, Car Wash, Full Service, Dry Cleaners, Pick-Up, Veterinary Clinic, Printing (all), Rental Service Establishment, Sign Painting Service, Industrial Service Establishment, Motor Vehicle Repair, Major Wholesale Trade Establishment, Exterminating and Pest Control, Mini-Warehouse</p>   | <p><b>Transportation Facilities</b><br/>Bus RR Passenger Station, Heliport, Helistop, Intermodal Terminal, Motor Freight Terminal, Motor Pool Facilities, Railroad, Switching/Classification Yard, Warehouse, Lumberyard, Towing Service Establishment, Minor Earthmoving</p>  | <p><b>Residential Support Uses</b><br/>College/University, Day Care Center, Day Care Facilities (Accessory), Schools, Schools of special Education, Low, Medium, High Passive, Antennas, Monopole Towers (150' Max), Post Offices, Private Community Use, Public Community Use, Utility Use, Radio, TV, Communications, &amp; Microwave Facilities</p>   |

Additional Uses allowed on Parcels A-1 through A-5  
Open storage

Additional Uses allowed on Parcel E  
General Commercial

**Use Restrictions**  
Transportation Facilities, Sawmills, Gas Pumps, Service Stations and Animal and Agricultural Product Processing uses shall not be permitted on Parcel D.

Helistops and Heliports shall not be located east of Parcels A-2 or A-3.

**GATEWAY OVERLAY  
MASTER PLAN**  
(AKA: FLORIDA INTERNATIONAL  
GATEWAY OVERLAY MASTER PLAN)  
FOR  
**CURIOSITY CREEK**  
SEPTEMBER 2009  
REVISED OCTOBER 2013



**Gateway Overlay Development Standards**

**Intensity Limits**

Project wide Gross FAR is .20  
 FAR shall not exceed .75 on any individual non-residential parcel  
 Max. Neighborhood Retail - 30,000 SF  
 Max. Commercial on Parcel E - 150,000 SF

**Maximum Residential Density**

1,100 Single family units  
 238 Single family semi-detached units  
 256 Multi-family units

Gross Density is 2.0 DU/Acre  
 Net Density is 5.0 DU/Acre

**Phasing**

Development in accordance with the Gateway Overlay Master Plan standards may be phased. Generally, the phasing may proceed as follows:

- Phase 1 - Parcels A-1, A-2, A-3, B-1, B-2 and E
- Phase 2 - Parcels A-4, A-5; and C-1 through C-5;
- Phase 3 - Parcel D

With each Preliminary and Final Site Plan submittal, the applicant shall provide:

- A Sector Data Table to identify the number and type of residential units and the type and square footage of non-residential building area that have and are pending Final Site Plan approval. In addition, cumulative totals for approved and pending industrial parking spaces and acreage and hotel rooms shall be provided.
- A calculation to verify that cumulative totals, approved and pending, do not exceed the DRI threshold for a multiuse development pursuant to Subsection 380.061(3).h, Florida Statutes, unless otherwise exempted from the DRI review process.

Prior to approval of each Preliminary Site Plan for Gateway Overlay Master Plan projects, the applicant, as necessary, shall obtain administrative approval of a revised residential Preliminary Site Plan for the impacted portion of the residential Preliminary Site Plan.

**Height, Bulk, & Dimensional Requirements:**

| Building Setbacks 1., 2.: | Maximum Height 3., 4., 5. |
|---------------------------|---------------------------|
| Front 25-feet             | Parcel A 75-feet          |
| Side 20-feet              | Parcel B 55-feet          |
| Rear 20-feet              | Parcel C 55-feet          |
|                           | Parcel D 45-feet          |
|                           | Parcel E 45-feet          |

1. Alternative to requirement for increased setbacks for structures exceeding 35-feet in height (Section 702.5.2.3))
2. All non-residential buildings shall maintain a minimum setback to height ratio as follows when adjacent to parcels with existing or approved Final Site Plans for residential use(s):

| Building Use  | Minimum Setback Ratio |
|---|-----------------------|
| Professional office, Residential Support, Recreation, Community Service                             | 1:1                   |
| Commercial Uses; Commercial Uses - Services, Industrial, Agriculture, Transportation, Miscellaneous | 2:1                   |

3. If there are residential uses existing or zoned on the adjacent parcel at time of Final Site plan review, the building height shall be limited to 45-feet within 125-feet of the affected property line.
4. Maximum height for a Communication Tower is 150-feet
5. When adjacent to the western boundary of Parcel E building setbacks shall be a minimum of 35-feet for structures up to 35-feet in height. Structures 35-feet or greater, shall maintain a 45-feet building setback.

**Compatibility Standards:**

Development of overlay uses shall comply with the following compatibility standards for each phase of development

**Buffering Requirements**

Landscape buffers shall be provided between uses and parcels zoned for residential uses in accordance with Table 1- Buffer Matrix.

It is preferred that the buffers be located on the residential parcels to maximize the benefit and use of the buffer as a recreational amenity, and to provide increased maintenance, and therefore buffers may be located on either the parcel proposed for development or on an adjacent parcel. If a buffer meeting the width and landscaping requirements detailed below is in place on the adjacent parcel at time of development, no additional buffer shall be required.

Land for industrial, warehousing, wholesale trade, utilities, building materials, industrial services, construction services, motor vehicle repair, fuel pumps, and transportation uses shall not have a requirement to provide buffers except where along the boundary of the project and adjacent to residential uses beyond the boundaries of the project.

If the adjacent parcel remains undeveloped at time of subsequent site plan submittal, the developer shall reserve the land for the buffer but may defer the planting of landscaping material until such time as the adjacent development commences. If the adjacent land subsequently develops with a compatible land use not required to buffer, then the developer may use the land reserved for the buffer for other purposes.

**Table 1 - Buffer Matrix**  
 Width of Buffer Required (In Feet)

| Proposed Use       | Abutting Use/or Zoning |              |                |                   |              |               |           |         |            |           |             |                  |
|--------------------|------------------------|--------------|----------------|-------------------|--------------|---------------|-----------|---------|------------|-----------|-------------|------------------|
|                    | Res. Excl. M.F.        | Multi-Family | Res. Sup. Uses | Community Service | Retail Comm. | Service Comm. | Gen Comm. | Indust. | Misc. Uses | Rec. Uses | Transp Uses | Intensive Uses * |
| Res. Excl. M.F.    | 0                      | 10           | 10             | 10                | 15           | 15            | 15        | 50      | 75         | 10        | 100         | 75               |
| Multi-Family       | 10                     | 0            | 5              | 10                | 15           | 15            | 15        | 50      | 75         | 10        | 100         | 75               |
| Res. Sup. Uses     | 10                     | 5            | 0              | 5                 | 10           | 10            | 10        | 50      | 50         | 0         | 50          | 50               |
| Community Service  | 10                     | 10           | 5              | 0                 | 0            | 0             | 0         | 0       | 0          | 0         | 0           | 0                |
| Retail Commercial  | 15                     | 15           | 10             | 0                 | 0            | 0             | 0         | 0       | 0          | 0         | 0           | 0                |
| Serv. Commercial   | 15                     | 15           | 10             | 0                 | 0            | 0             | 0         | 0       | 0          | 0         | 0           | 0                |
| General Commercial | 15                     | 15           | 10             | 0                 | 0            | 0             | 0         | 0       | 0          | 0         | 0           | 0                |
| Industrial         | 50                     | 50           | 50             | 0                 | 0            | 0             | 0         | 0       | 0          | 5         | 0           | 0                |
| Misc. Uses         | 75                     | 75           | 50             | 0                 | 0            | 0             | 0         | 0       | 0          | 5         | 0           | 0                |
| Rec. Uses          | 10                     | 10           | 0              | 0                 | 0            | 0             | 0         | 5       | 5          | 0         | 10          | 10               |
| Transp. Uses       | 100                    | 100          | 50             | 0                 | 0            | 0             | 0         | 0       | 0          | 10        | 0           | 0                |
| Intensive Uses*    | 75                     | 75           | 50             | 0                 | 0            | 0             | 0         | 0       | 0          | 10        | 0           | 0                |

\*Includes all Ag uses, Motor Vehicle Repair, Wholesale Trade, Printing Heavy, Industrial Service Establishment, High Intensity Recreational Uses, Sign Painting

**GATEWAY OVERLAY  
 MASTER PLAN NOTES**  
 (AKA: FLORIDA INTERNATIONAL  
 GATEWAY OVERLAY MASTER PLAN)  
 FOR  
**CURIOSITY CREEK**  
 SEPTEMBER 2009  
 REVISED OCTOBER 2013



#### Buffer Landscaping Requirements

Five (5), ten (10) and fifteen (15) foot buffers shall comply with the Land Development Code.

For all 50', 75' and 100' landscape buffers along property lines, the required landscaping for every 100 linear feet is as follows:

- Three (3) Canopy Trees, three-inch caliper as measured six (6) inches from the base of the tree, twelve-foot height, five-foot spread.
- Six (6) Evergreen Understory Trees, two-inch caliper as measured six (6) inches from the base of the tree, six-foot height, three-foot spread.
- Thirty-three (33) Shrubs, thirty (30) inches at time of planting.

Buffers shall be planted in an informal, staggered arrangement. Buffers shall be entirely planted prior to Final Plat approval or Certificate of Occupancy issuance.

The buffer shall provide eighty-five (85) percent opacity to a height of six (6) feet when viewed from the adjacent parcel or edge of pavement from the nearest thoroughfare road within three (3) years from the date of the first Final Plat or Certificate of Occupancy, whichever occurs first.

For fifty (50) feet on both sides of driveway and roadway entrances, the buffer planting may be reduced to create a view window. In this area, the plantings may be reduced to the following:

- Thirty (30) inches in height at time of planting;
- Thirty-inch spread; and
- Maintained height between three (3) and four (4) feet.

The landscape design shall provide for a transition from the driveway and view corridor to the more heavily planted portion of the buffer.

If desired, in lieu of canopy trees, a minimum of eight (8) palm trees may be planted in a staggered arrangement within the fifty-foot view window. Such palm trees shall be planted with a minimum clear trunk height of fourteen (14) feet. This shall not affect the overall limitation of palms in lieu of required canopy trees.

Meandering sidewalks or trails within buffers are permitted, subject to approval by the Planning Department. Stormwater facilities may encroach in 75' and 100' buffers provided that 50' minimum upland space is retained for vegetative plantings.

The 50-foot landscape buffer with a minimum 3 feet high berm shall be required for any non-residential uses along the eastern boundary of Parcel D.

Additional Compatibility Standards for Parcels D and E  
HVAC/Loading/Solid Waste areas shall be screened from view from Buckeye Road.

#### Roadway Buffers

Artisan Lakes Parkway - A forty (40) foot wide buffer with enhanced landscaping shall be provided. This buffer shall be planted with canopy trees 30-feet on-center.

Buckeye Road - 20-foot wide buffer with enhanced landscaping. This buffer shall be planted with two staggered rows of understory trees containing six (6) evergreen trees (2" caliper, 12-ft. height, 3-ft. spread) and 33 shrubs (30-inches at time of planting) per 100 linear feet. At least three different species for each plant category shall be uses.

Internal Roadways - If there are existing residential uses across the right-of-way from a non-residential use, a minimum 20-foot wide landscape buffer shall be provided. This buffer shall be planted with two staggered rows of understory trees containing six (6) evergreen trees (2" caliper, 12-ft. height, 3-ft. spread) and 33 shrubs (30-inches at time of planting) per 100 linear feet. At least three different species for each plant category shall be uses. If the use across the roadway is non-residential, a minimum 10-foot wide landscape buffer shall be provided. This buffer shall be planted with three canopy trees (3" caliper, 12-ft. height, 5-foot spread), and 33 shrubs (30 inches at time of planting) per 100 linear feet.

#### Wetland and Upland Habitat Protection:

1. Prior to Certificate of Occupancy issuance or in conjunction with the Final Plat approval, a Conservation Easement for the areas defined as post-development jurisdictional wetlands, wetland buffers and Upland Preservation Areas (approximate 18.5 acres located in the northeastern portion of the project) shall be dedicated to the County.

2. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.

3. The project shall be designed so that no temporary wetland buffer impacts, other than those allowed by Section 719.11.1.2 of the LDC, are required in areas that contain native desirable vegetation. This shall be reviewed and approved by the Planning Department's Environmental Planning Division with Final Site Plan.

4. All proposed recreational trails, board walks and shade structures located in wetland buffers and areas where native vegetation is to remain shall be designed in a manner that minimizes impacts to trees or areas of significant vegetation. Locations and design of these features shall be reviewed and approved with each Final Site Plan.

#### Wildlife Protection:

1. Between Wetland O and Curiosity Creek, the roadway design shall include wildlife connections, traffic calming and signage to maintain connectivity. If the Option A plan is implemented, a 10-15 foot wide dedicated easement between Lots A17 and A20 shall be shown on the Final Site Plan to provide connectivity between Wetlands B & C. Additionally, traffic calming measures and signs will be applied in the vicinity of Wetlands B & C. Under the Option B scenario, oversized culverts, rumble strips or wildlife crossing signage may be required for any areas where connections between preservation areas are severed by proposed improvements. The details and methodology shall be provided for review prior to Final Site Plan approval.

2. The developer shall provide an updated study, consistent with Policy 3.3.2.3 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or Federal agency, shall be provided to the Planning Department for any listed species found on-site, prior to Final Site Plan approval.

#### Tree Protection:

1. Existing native vegetation located within any required landscape buffer shall be preserved to the greatest extent possible. There shall be no overhead or underground power lines, swales, or stormwater facilities within any proposed landscape buffer containing desirable native vegetation with the exception of limited crossings.

2. Prior to construction, grading, or tree removal from the site, required protective barriers within each area of construction shall be installed to protect all 4" DBH and greater trees identified for protection, that is, not shown on the Preliminary Site Plan as proposed to be removed, replaced, or relocated. Specific tree protective measures shall be approved by the Planning Department with the Final Site Plan submittal. Tree barricades for trees to be preserved shall be located at the drip line, unless otherwise approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed and shall be clearly shown on the Final Site Plan. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by the Planning Department.

3. The Final Site Plan shall include the following information:

- Tree and native vegetation preservation areas.
- The limits of clearing.
- Typical cross section details for all activities within 25' of any preservation areas.
- Details and locations of signs to alert workers of tree and native vegetation protection areas. These signs shall be constructed of weather resistant materials and shall demarcate the boundaries of the protected areas.

#### Water Quality:

1. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.

2. An Integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides, and herbicides shall be submitted to the Planning Department for review and approval prior to Final Site plan approval. Where practical, native or drought tolerant landscape materials shall be utilized in common areas. In addition, the developer shall encourage individual homeowners to participate in the Florida Yards and Neighborhood Program by disseminating program information to individual lot owners.

3. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the Planning Department for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:

- Digital photographs of the well along with nearby reference structures (if existing).
- GPS coordinates (latitude/longitude) of the well.
- The methodology used to secure the well during construction (e.g. fence, tape).
- The final disposition of the well - used, capped, or plugged.

4. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

#### Transportation

1. At time of Preliminary Site Plan, Final Site Plan, and Construction Drawing approval for each phase of the project, the developer shall be responsible for any additional on-site or off-site transportation operational and safety improvements attributable to this project, as determined by the Public Works Department, and in accordance with LDC Section 722.1.3.4, as well as any capacity improvements associated with the issuance of a Certificate of Level of Service.

2. There shall be no traffic access (including earthmoving or construction access) to this project from Grass Farm Road.

## GATEWAY OVERLAY MASTER PLAN (AKA: FLORIDA INTERNATIONAL GATEWAY OVERLAY MASTER PLAN) FOR CURIOSITY CREEK SEPTEMBER 2009 REVISED OCTOBER 2013

**WilsonMiller**

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**ORDINANCE NO. 13-13**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING; AMENDING THE MANATEE COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT TO DESIGNATE THE GEOGRAPHIC EXTENT OF THE URBAN SERVICE AREA ON APPLICABLE MAPS, EXCLUDING THE COASTAL EVACUATION AREA; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PURPOSE AND INTENT; PROVIDING FINDINGS, AMENDING PROVISIONS OF THE COMPREHENSIVE PLAN TO PRESERVE INTERNAL CONSISTENCY INCLUDING BUT NOT LIMITED TO THE TEXT OF THE CAPITAL IMPROVEMENTS ELEMENT AND THE FUTURE LAND USE ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and

**WHEREAS**, the Community Planning Act (the "Act") is codified in the applicable portions of Chapter 163, Part II, Florida Statutes (2013), as amended, empowers and requires the County (a) to plan for the County's future development and growth, and (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the County; and

**WHEREAS**, Application PA-13-05 has been initiated by the County to amend the Comprehensive Plan, to delineate the extent of an Urban Service Area as defined in Section 163.3164(50), Florida Statutes (2013), and includes amendments to the Maps of the Future Land Use Element and the text of the Future Land Use Element and Capital Improvements Elements of the Comprehensive Plan; and

**WHEREAS**, at a duly noticed public hearing, on May 9, 2013, the Manatee County Planning Commission, as the County's Local Planning Agency for purposes of the Act, considered Application PA-13-05 and passed a motion to recommend transmittal of Plan Amendment PA-13-05 to the Board of County Commissioners; and

**WHEREAS**, after due public notice, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing on June 6, 2013, to consider Plan Amendment Application PA-13-05 and transmitted the proposed Plan Amendment PA-13-05 to the State Land Planning Agency in accordance with the Act; and

**WHEREAS**, the State Land Planning Agency by letter dated July 16, 2013, and received by the County on July 22, 2013, identified no comments related to important State resources and facilities within the Department Of Economic Opportunity's (DEO) authorized scope of review that would be adversely impacted by Plan Amendment PA-13-05, if adopted; and

**WHEREAS**, the comments from DEO provided two technical assistance comments regarding proposed revisions to the text of the Future Land Use Element and the text of the Capital Improvement Element which have been incorporated into Plan Amendment Application PA-13-05; and

**WHEREAS**, the Southwest Florida Water Management District, by letter dated July 18, 2013, provided comments regarding flood protection and provided no comments regarding regional water supply or wetlands and other surface waters; and

**WHEREAS**, the County staff has recommended to the Planning Commission and the Board of County Commissioners that the geographic extent of the proposed Urban Service Area be reduced to exclude the Coastal Evacuation Area (CEA) as defined in the Comprehensive Plan, said recommendation being consistent with the comments of the Southwest Florida Water Management District; and

**WHEREAS**, the staff of the Tampa Bay Regional Planning Council prepared a report on Plan Amendment PA-13-05 and had their report affirmed by the Tampa Bay Regional Planning Council at the meeting of August 12, 2013, at which time the Council accepted the determination of no adverse regional impacts of Plan Amendment PA-13-05; and

**WHEREAS**, the Florida Department of Agriculture and Consumer Services, by letter dated July 23, 2013, transmitted its review as to Plan Amendment PA-13-05 and determined there were no potential adverse impacts to important State resources or facilities related to agriculture, aquaculture or forestry resources if the Plan Amendment PA-13-05 were adopted; and

**WHEREAS**, the Florida Department of Environmental Protection, by correspondence dated June 25, 2013, transmitted its review comments for Plan Amendment PA-13-105 and determined that there was no provision in the Plan Amendment, if adopted, that would adversely impact important State resources specifically air and water, pollution, wetlands and other surface waters of the State, Federal and State owned lands and interests in lands including state parks, solid waste and water and wastewater treatment; and

**WHEREAS**, the Florida Department of Education transmitted its review comments on Plan Amendment PA-13-05, by letter dated June 27, 2013, and determined that Plan Amendment PA-13-05 does not have the potential to adversely affect public school facilities; and

**WHEREAS**, Sarasota County, by letter dated June 20, 2013, determined that proposed Plan Amendment PA-13-05 did not impact the unincorporated area of Sarasota County nor the County's goals, objectives and policies of the Sarasota County Comprehensive Plan or its implementation; and

**WHEREAS**, at a duly noticed public hearing on October 10, 2013, the Planning Commission, as the County's Local Planning Agency, held a duly noticed public hearing on the revised Plan Amendment PA-13-05, including the removal of the Coastal Evacuation Area from the proposed boundaries of the Urban Service Area in Plan Amendment PA-13-05; and

**WHEREAS**, the Planning Commission, on October 10, 2013, passed a motion to make a finding of consistency of proposed Plan Amendment PA-13-05, as amended with the Comprehensive Plan, and to recommend adoption of Plan Amendment PA-13-05 to the Board of County Commissioners; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes (2013), on November 7, 2013, the Board of County Commissioners held an adoption public hearing, with due public notice having been provided, to consider said proposed amendment to the Comprehensive Plan; and

**WHEREAS**, the Board of County Commissioners considered all oral and written comments received during said public hearings, including appropriate changes to the technical support document as needed, the recommendations of the Planning Commission, and the comments of the State Land Planning Agency and all applicable state of local review agencies; and

**WHEREAS**, in exercise of said authority, the Board of County Commissioners has determined that the adoption of Plan Amendment PA-13-05, as amended, would be in the public interest as it would promote infill development and redevelopment necessary for the promotion and sustaining of urban cores; and

**WHEREAS**, the Board of County Commissioners, based upon the foregoing findings has determined that the requirements for amending the Comprehensive Plan in Section C.2.3.3, Introduction of the Comprehensive Plan have been satisfied; and

**WHEREAS**, the applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to Chapter 163, Part II, Florida Statutes (2013), and the Plan Format and Administration Section of the Manatee County Comprehensive Plan.

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

**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 Act, and Chapter 125, Florida Statutes, as amended.

**Section 2. Findings:** The recitals set forth in the Whereas clauses above are true and correct and are hereby adopted as findings by the Board for the adoption of this Ordinance.

**Section 3. Text Amendment to Definitions:**

The Manatee County Comprehensive Plan, Chapter entitled “Definitions” is hereby amended to a new definition of “Urban Service Area” as set forth below with additions indicated by underlined, deletions by ~~strike-out~~:

Urban Service Area shall mean the area identified in the comprehensive plan within the Future Land Use Map Series, which illustrates areas where public facilities and services, including, but not limited to, central water and sewer capacity and roads, are already in place or are identified in the capital improvements element. Such map may be amended from time to time as determined appropriate by Manatee County.

**Section 4. Text Amendment to Future Land Use Element:**

The Manatee County Comprehensive Plan, Future Land Use Element, is hereby amended to add a new Policy 2.1.1.6 to recognize Urban Service Areas and shall provide as follows with additions indicated by underlined, deletions by ~~strike-out~~:

Policy 2.1.1.6 Recognize areas in the County that are designated as an Urban Service Area. Manatee County shall encourage growth, infill and redevelopment to concentrate within the Urban Service Area. Development within the Urban Service Area shall be consistent with other goals, objectives and policies of the Future Land Use Element .

**Section 5. CAPITAL IMPROVEMENT ELEMENT:**

The Manatee County Comprehensive Plan, Capital Improvement Element, is hereby amended to add a new Policy 10.1.4.3 to recognize Urban Service Areas. Said amended policy shall provide as follows with additions indicated by underlined, deletions by ~~strike-out~~.

Policy 10.1.4.3 The Traffic Sub-Element of the Comprehensive Plan identifies a long range transportation plan that is intended to provide for traffic circulation within Manatee County over a 20 year planning period. The Traffic Map Series (Maps 5B, 5C and 5D) includes future roadways that are necessary to support a future urbanized areas within the Urban Service Area.

**Section 6. Amendment to Future Land Use Map Series:** The Manatee County Comprehensive Plan, Future Land Use Map Series, is hereby amended in the following respects:

The Future Land Use Maps, Numbered 1 through 29 are hereby amended to delineate the geographic extent of the Urban Service Area as described in Exhibit A, copies which are attached hereto and make a part of by reference. Additionally, the Future Land Use Map Series is amended to include a separate map to be designated Map K, Urban Service Area, said map is attached as Exhibit A and made a part of by reference.

**Section 7. Severability:** If any section, sentence, clause or other provision of this Ordinance shall be held 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 8. Effective Date:** The effective date of this Plan Amendment PA-13-05, if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies Manatee County that the adopted plan amendment package for Plan Amendment PA-13-05 is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted Amendment PA-13-05 to be in compliance. No development orders, development permits or land uses dependent on this Plan Amendment PA-13-05 may be issued or commence before it has become effective.

**PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting this 7<sup>th</sup> day of November, 2013.

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

By: \_\_\_\_\_  
**Larry Bustle, Chairman**

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

By: \_\_\_\_\_  
**Deputy Clerk**

Reference:     **Project Name: Dollar General at Parrish**  
                  **Project Number: PDC-13-33(Z)(P)**

Date:                             Oct. 6, 2013  
Property Owner Name:     JoAnna Giddett Rogers  
Address:                        611-121st Ave. E  
                                      Parrish, Fla. 34219-8519

To Whom It May Concern:

Please be advised that I, a owner of property located near the above reference proposed project (a Dollar General Store) have no objection to the development of the project.

Sincerely,

JoAnna G Rogers

Additional Notes (if any):

Reference: Project Name: Dollar General at Parrish  
Project Number: PDC-13-33(Z)(P)

Date: 10-6-13  
Property Owner Name: ROBERT J FERENCZ  
Address: 6110 121ST AVE E  
PARRISH FL 34219

To Whom It May Concern:

Please be advised that I, a owner of property located near the above reference proposed project (a Dollar General Store) have no objection to the development of the project.

Sincerely,

Robert J Ferencz  
↓  
Elizabeth Connelly Ferencz

Additional Notes (if any):