

# MANATEE COUNTY GOVERNMENT

## AGENDA MEMORANDUM

<b>SUBJECT</b>	PDR-31-31(Z)(P) – M/I Homes of Tampa, LLC/Brookside Estates (fka M/I Homes-UMRR/Legler-Flynn Rezone (DTS #20130263)	<b>TYPE AGENDA ITEM</b>	Advertised Public Hearing – Consent
<b>DATE REQUESTED</b>	11/14/13 PC	<b>DATE SUBMITTED/REVISED</b>	11/05/13
<b>BRIEFINGS? Who?</b>	No	<b>CONSEQUENCES IF DEFERRED</b>	N/A
<b>DEPARTMENT/DIVISION</b>	Building & Development Services Department/Comprehensive Planning and Public Hearings	<b>AUTHORIZED BY TITLE</b>	Lisa Barrett, Planning Division Manager 
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Rossina Leider / Planner 941-748-4501 ext. 6859	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Rossina Leider / Planner 941-748-4501 ext. 6859
<b>ADMINISTRATIVE APPROVAL</b>			

<b>ACTION DESIRED</b> INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
I move to recommend approval of PDR-13-31(Z)(P) per the recommended motion in the staff report attached to this memo.

<b>ENABLING/REGULATING AUTHORITY</b> 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.

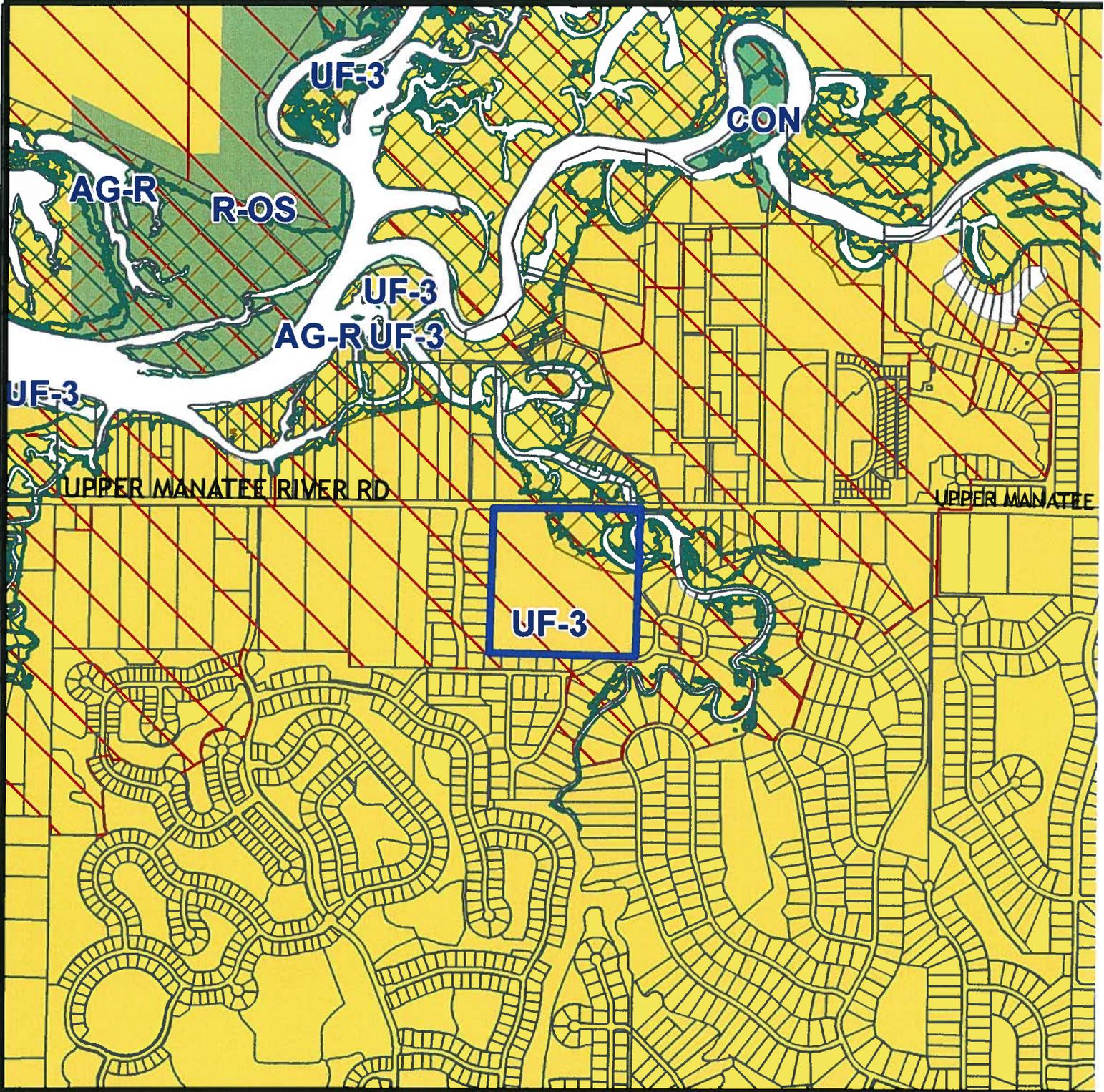
<b>BACKGROUND/DISCUSSION</b>
<ul style="list-style-type: none"> <li>• The 40.19± acre vacant site is located on the south side of Upper Manatee River Road, approximately one mile east of the curve and two miles north of SR 64.</li> <li>• The site is zoned A (General Agriculture) and within the UF-3 (Urban Fringe – three dwelling units per acre) Future Land Use Category (FLUC).</li> <li>• Site lies in Zones X and AE with a Base Flood Elevation (B.F.E.) of 12.1' NGVD 1929 based on FIRM Panel 120153 0220C and the Flood Insurance Study Floodway Data Table for Mill Creek. The site is partially within the Coastal Evacuation Area (CEA) and Coastal High Hazard Area (CHHA), and entirely within the Coastal Planning Area.</li> <li>• The current request is to rezone the property from A (General Agriculture) to PDR (Planned Development Residential), and approve a Preliminary Site Plan for a maximum of 63 single-family detached lots. The Preliminary Site Plan proposes:             <ul style="list-style-type: none"> <li>- Two access points to provide access from Upper Manatee River Road (Collector roadway) to 7<sup>th</sup> Avenue NE (local roadway).</li> <li>- Minimum lot size of 7,800 square feet (65' x 120'), except for Lots #17 and #18 that have a minimum lot width and acreage of 35-foot and ±14,000 square feet respectively. The lots are located along both sides of a "main roadway" that connects the proposed access points.</li> <li>- A 20-foot wide roadway buffer along Upper Manatee River Road (± 480' on length), and a 5-foot wide sidewalk within the referenced roadway buffer, west and east of project entrance (± 340' long).</li> <li>- A 30-foot wide greenbelt landscape buffer along the east (partially), south, and west property boundaries to screening the project from the adjacent residential subdivision (Hidden Oaks).</li> <li>- Stormwater management pond at the center portion of the project, and conservation areas to the north and northeast (wetlands and wetland buffers). No impacts to wetland or wetland buffers are proposed.</li> <li>- A gross and net density of 1.58 and 1.98 dwelling units per acre respectively.</li> <li>- A total of 12.50 acres of open space is provided (31% of the total site).</li> <li>- No impacts to wetland or wetland buffers are proposed.</li> <li>- A fountain on the stormwater pond is proposed as a "focal point", and no recreational areas are provided.</li> </ul> </li> </ul>

- No residential lots are proposed to be located within the CEA or CHHA, and no encroachment in the regulatory floodway is proposed.
- Proposed home-sites are concentrated to the greatest extent along the periphery and outside of the 25-year floodplain, flood plain compensation is provided for the 25-year and 100-year storm event, and proposed finish floor elevation of home-sites will be at minimum one-foot above B.F.E.
- Special approval is required for a project with:
  - Gross density exceeding 1 dwelling unit per acre in the UF-3 FLUC
  - Adjacent to a perennial stream
  - Habitable structures located within the 25-year floodplain
  - Partially in the Coastal High Hazard Overlay District
  - Partially in the Coastal Evacuation Area
- The applicant requests Specific Approval to:
  - Reduced replacement tree sizes (LDC Section 714.8.7)
  - To allow one canopy tree per lot frontage (LDC Section 715.3.4)
  - To allow a partial sidewalk construction on the south side of Upper Manatee River Road (LDC Sections 722.1.4.1 and 722.1.4.4)
- Staff supports all requested Specific Approvals.
- Staff recommends approval of this request, with stipulations.

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

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Staff Report		n/a	
<b>COST:</b>	n/a	<b>SOURCE (ACCT # &amp; NAME):</b>	n/a
<b>COMMENTS:</b>		<b>AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)</b>	

# FUTURE LAND USE



Parcel ID #(s) 555800002

Project Name: Brookside Estates (fka M/I Homes-UMRR/Legler-Flynn Rezone)  
 Project #: PDR-13-31 (Z)(P)  
 DTS#: 20130263  
 Proposed Use: Rezone

S/T/R: Sec 21 Twn 34 Rng 19  
 Acreage: 40.19  
 Existing Zoning: A  
 Existing FLU: UF-3  
 Overlays: NONE  
 Special Areas: NONE

CHH: Y  
 Watershed: NONE  
 Drainage Basin: GATES CREEK, MILL CREEK  
 Commissioner: Larry Bustle

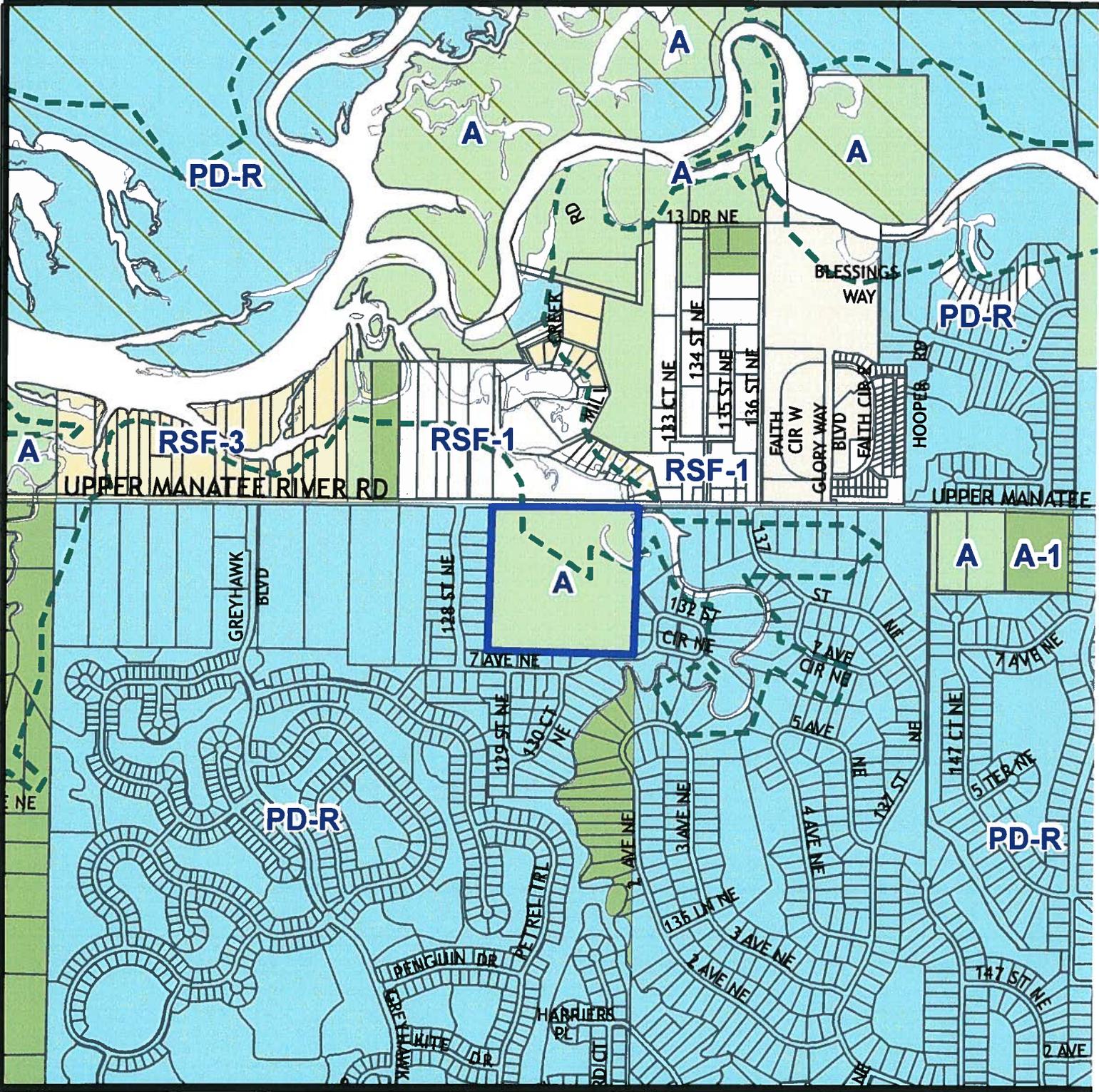
-  CHHA 2012
-  Coastal Evacuation Area
-  Coastal Planning Area



Manatee County  
 Staff Report Map  
 Map Prepared 8/19/2013

1 inch = 1,250 feet

# ZONING



Parcel ID #(s) 555800002

Project Name: Brookside Estates (fka M/I Homes-UMRR/Legler-Flynn Rezone)  
 Project #: PDR-13-31 (Z)(P)  
 DTS#: 20130263  
 Proposed Use: Rezone

S/T/R: Sec 21 Twn 34 Rng 19  
 Acreage: 40.19  
 Existing Zoning: A  
 Existing FLU: UF-3  
 Overlays: NONE  
 Special Areas: NONE

CHH: Y  
 Watershed: NONE  
 Drainage Basin: GATES CREEK, MILL CREEK  
 Commissioner: Larry Bustle

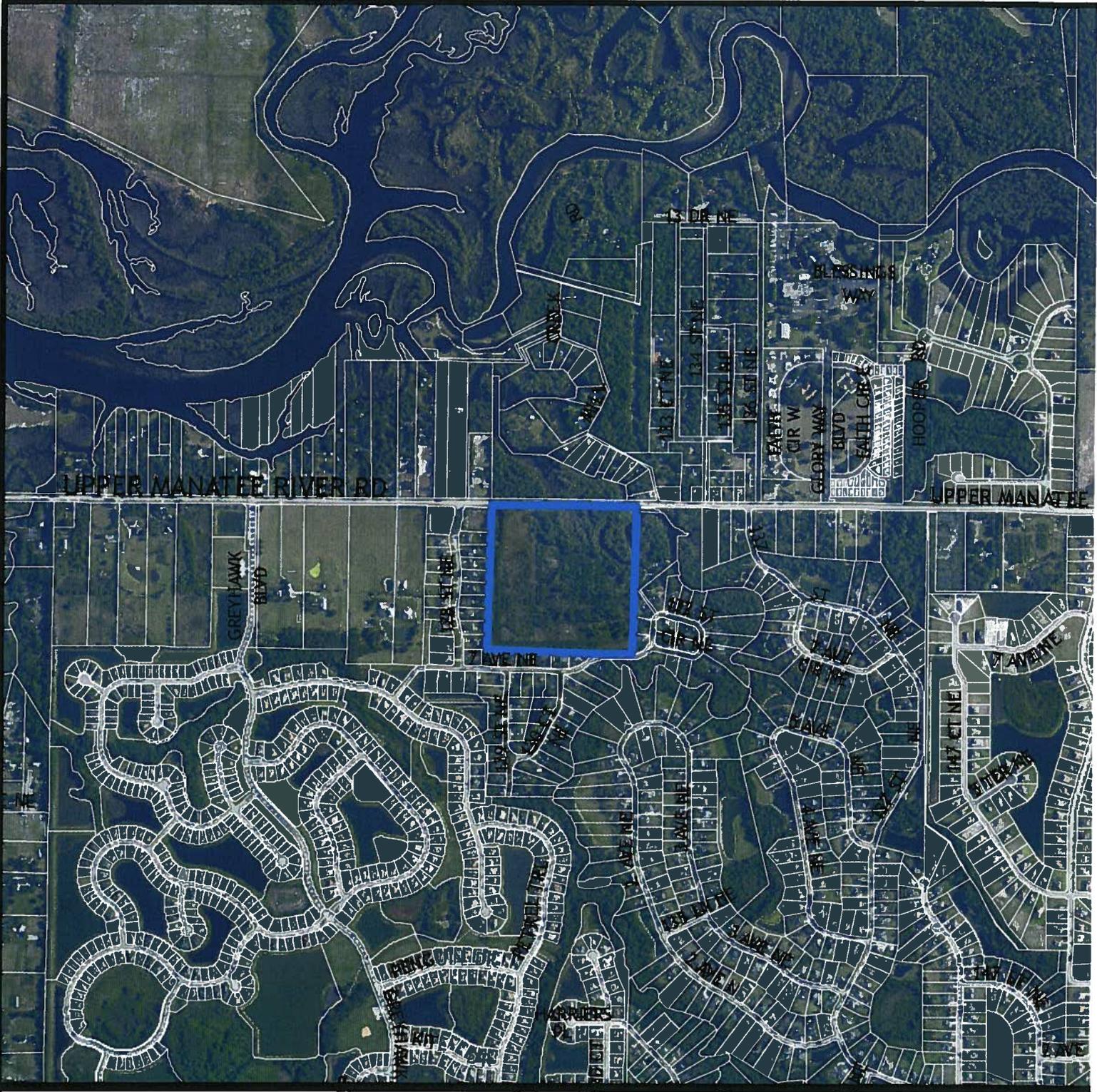


Manatee County  
 Staff Report Map  
 Map Prepared 8/19/2013

1 inch = 1,250 feet

--- CHH - Zoning

# AERIAL



Parcel ID #(s) 555800002

Project Name: Brookside Estates (fka M/I Homes-UMRR/Legler-Flynn Rezone)  
Project #: PDR-13-31 (Z)(P)  
DTS#: 20130263  
Proposed Use: Rezone

S/T/R: Sec 21 Twn 34 Rng 19  
Acreage: 40.19  
Existing Zoning: A  
Existing FLU: UF-3  
Overlays: NONE  
Special Areas: NONE

CHH: Y  
Watershed: NONE  
Drainage Basin: GATES CREEK, MILL CREEK  
Commissioner: Larry Bustle



Manatee County  
Staff Report Map  
Map Prepared 8/19/2013

1 inch = 1,250 feet

P.C. 11/14/2013

**PDR-13-31(Z)(P) – M/I Homes of Tampa, LLC/Brookside Estates  
(fka M/I Homes-UMRR/Legler-Flynn Rezone) (DTS #20130263)**

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 40.19 ± acres located approximately two miles north of SR 64 on the south side of Upper Manatee River Road, and one mile east of the curve at 13010 Upper Manatee River Road, Parrish, from A (General Agriculture) to the PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 63 residential lots for 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.: 11/14/2013**

**B.O.C.C.: 12/05/2013**

**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-13-31(Z)(P); APPROVAL of the Preliminary Site Plan with Stipulations A.1-A.5, B.1, C.1-C.3, D.1-D.6, and E.1; GRANTING Special Approval for: 1) a gross density exceeding 1.0 dwelling unit per acre in the UF-3 FLUC, 2) adjacent to a perennial stream, 3) with habitable structures located within the 25-year floodplain, 4) partially within the Coastal High Hazard Overlay District, and 5) partially in the Coastal Evacuation Area; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval of alternatives to Sections 714.8.7, 715.3.4, 722.1.4.1 and 722.1.4.4 of the Land Development Code, as recommended by staff.**

<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	<b>PDR-13-31(Z)(P) (DTS # 20130263)</b>
<b>PROJECT NAME</b>	<b>M/I Homes of Tampa, LLC/Brookside Estates (fka M/I Homes-UMRR/Legler-Flynn Rezone)</b>
<b>APPLICANT(S):</b>	<b>M/I Homes of Tampa, LLC</b>
<b>PROPOSED ZONING:</b>	<b>PDR (Planned Development Residential)</b>
<b>EXISTING ZONING:</b>	<b>A (General Agriculture) - 40.19 acres</b>
<b>PROPOSED USE(S):</b>	<b>63 lots for single-family detached residences</b>
<b>CASE MANAGER:</b>	<b>Rossina Leider</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVAL</b>

**DETAILED DISCUSSION**

The 40.19± acre vacant site is located on the south side of Upper Manatee River Road, approximately one mile east of the curve and two miles north of SR 64. The site is zoned A (General Agriculture) and within the UF-3 (Urban Fringe – three dwelling units per acre) Future Land Use Category (FLUC).

The current request is to rezone the property from A (General Agriculture) to PDR (Planned Development Residential), and approve a Preliminary Site Plan for a maximum of 63 single-family detached lots. The Preliminary Site Plan proposes:

- Two access points on a “main public roadway” that runs from the northwest to the southeast corners of the site providing access from Upper Manatee River Road (Collector roadway) to 7<sup>th</sup> Avenue NE (local roadway).
- Residential lots located along both sides of the “main roadway”. The minimum lot width and lot size is 65 feet and 7,800 sq. ft. respectively, except for two lots that will have a minimum lot width of 35-foot and approximately 14,000 sq. ft. (Lots 17 and 18).
- A 20-foot wide roadway buffer along Upper Manatee River Road (± 480’ on length), and a 5-foot wide sidewalk within the referenced roadway buffer, west and east of project entrance (± 340’ long).
- A 30-foot wide greenbelt landscape buffer along the east (partially), south, and west property boundaries to screening the project from the adjacent residential subdivision

(Hidden Oaks).

- Stormwater management pond at the center portion of the project, and conservation areas to the north and northeast (wetlands and wetland buffers). No impacts to wetland or wetland buffers are proposed.
- A gross and net density of 1.58 and 1.98 dwelling units per acre respectively.
- A total of 12.50 acres of open space is provided (31% of the total site).
- A fountain on the stormwater pond is proposed as a “focal point”, and no recreational areas are provided.

The applicant proposes a typical lot that has a minimum size of 7,800 square feet (65' x 120'), except for Lots #17 and #18 that have a trapezoidal shape with a minimum lot width and acreage of 35-foot and ±14,000 square feet respectively. Notwithstanding, the proposed average lot size for this development is smaller than the size of adjacent lots at Hidden Oaks approved in 1988 (19,200 sq. ft.), it is consistent with the trends of most recently approved projects in the surrounding area [(i.e. Greyhawk Landing, Greyhawk Landing West, and Raven Crest Subdivisions approved for 7,500 sq. ft. (2001), 7,200 sq. ft. (2005), and 7,800 sq. ft. (2013) minimum lot size respectively].

The proposed gross and net density (1.58 and 1.98 du/acre) is consistent with the maximum density threshold allowed in the UF-3 FLUC (3 du/acre gross and 9 du/acre net). Special Approval is required for a project which the gross density exceeds 1.00 du/acre. Special Approval is granted through the planned development process, and PDR zoning provides greater flexibility for the project when establishing appropriate buffers and setbacks.

Site is entirely within the Coastal Planning Area, and lies in Zones X and AE with a Base Flood Elevation (B.F.E.) of 12.1' NGVD 1929 based on FIRM Panel 120153 0220C and the Flood Insurance Study Floodway Data Table for Mill Creek. No encroachment in the regulatory floodway is proposed. Special approval is required since according to the “2012 Coastal Map updates” the site is partially within the Coastal Evacuation Area (CEA) and Coastal High Hazard Area (CHHA). No residential lots are proposed to be located within the CEA or CHHA. Staff recommends a Hurricane Evacuation Plan be approved by the Emergency Management Division of the Public Safety Department prior to Final Site Plan approval, as is required for new developments located within the Coastal Planning Area (Comprehensive Plan Policy 4.4.2.2.), and for projects within the Coastal High Hazard Overlay (LDC Section 604.3.7).

The northern portion of the site is within the County delineated 25-year floodplain. Special approval is required for improvements (roads, lots, habitable structures, etc.) within the Manatee River 25-year floodplain. Stormwater engineering staff supports the Special Approval request since:

- proposed home-sites are concentrated to the greatest extent along the periphery and outside of the 25-year floodplain,
- flood plain compensation is provided for the 25-year and 100-year storm event, and
- proposed finish floor elevation of home-sites will be at minimum one-foot above B.F.E.

There are 3.56± acres of wetlands, and no impacts to wetlands or wetland buffers are proposed. Upland habitat preservation is provided (1.4 acres). Areas adjacent to Mill Creek are considered to have a moderate to high potential for archaeological site. At Final Site Plan

stage the applicant shall provide a cultural resource survey in order to indicate if historic structures, archaeological sites, or artifacts are within the project area.

No recreational areas have been provided. The Comprehensive Plan (Objective 2.9.1) promotes project that create and maintain residential strong communities which shall provide for usable open spaces, community spaces and focal points, pedestrian interconnectivity, protection of the natural environmental, and public access to water features. Staff suggested incorporating the recreational potential of one of the natural features of the site (Mill Creek) into the design of the community areas of the project (e.g. pervious pedestrian trails within the wetland buffers). The applicant declined the staff's recommendation, and proposed a fountain on the lake as a focal point. Staff recommends a stipulation for the fountain.

The applicant requests Specific Approval to:

- Reduced replacement tree sizes (LDC Section 714.8.7)
- To allow one canopy tree per lot frontage (LDC Section 715.3.4)
- To allow a partial sidewalk construction on the south side of Upper Manatee River Road (LDC Sections 722.1.4.1 and 722.1.4.4)

Staff supports all requested Specific Approvals. Staff recommends approval of this request, with stipulations.

**SITE CHARACTERISTICS AND SURROUNDING AREA**

<b>ADDRESS:</b>	<b>13010 Upper Manatee River Road</b>
<b>GENERAL LOCATION:</b>	<b>South size of Upper Manatee River Road, approximately one mile east of the curve</b>
<b>ACREAGE:</b>	<b>40.19 ± acres</b>
<b>EXISTING USE(S):</b>	<b>Vacant</b>
<b>FUTURE LAND USE CATEGORY(S):</b>	<b>UF-3 (Urban Fringe-three dwelling units per acre)</b>
<b>DENSITY:</b>	<b>1.58 gross                      1.98 net</b>
<b>SPECIAL APPROVAL(S):</b>	<ol style="list-style-type: none"> <li><b>1) Gross density exceeding 1 dwelling unit per acre in the UF-3 FLUC</b></li> <li><b>2) Adjacent to a perennial stream</b></li> <li><b>3) Habitable Structures located within the 25-year floodplain</b></li> <li><b>4) Partially in the Coastal High Hazard Overlay District</b></li> <li><b>5) Partially in the Coastal Evacuation Area</b></li> </ol>
<b>OVERLAY DISTRICT(S):</b>	<b>Coastal High Hazard (partially)</b>
<b>SPECIFIC APPROVAL(S):</b>	<ol style="list-style-type: none"> <li><b>1) Reduced replacement tree size</b></li> <li><b>2) To allow one canopy tree per lot frontage</b></li> </ol>

	<b>3) To allow a partial sidewalk construction on the south side of Upper Manatee River Road</b>	
<b>SURROUNDING USES &amp; ZONING</b>		
<b>NORTH</b>	<b>Across Upper Manatee River Road, vacant land, Mill Creek Baptist Church, single-family residences zoned RSF-1 (Residential Single-family, one du/acre).</b>	
<b>SOUTH</b>	<b>Single-family homes zoned PDR (Planned Development Residential) at Hidden Oaks Subdivision. Across 7<sup>th</sup> Avenue NE, vacant residential tract zoned PDR (Planned Development Residential)</b>	
<b>EAST</b>	<b>Single-family homes and vacant land zoned PDR (Planned Development Residential) at Hidden Oaks Subdivision</b>	
<b>WEST</b>	<b>Single-family homes zoned PDR (Planned Development Residential) at Hidden Oaks Subdivision</b>	
<b>SITE DESIGN DETAILS</b>		
<b>LOT SIZE(S):</b>	<b>7,800 sq. ft. (65' x 120') Typical lot (*)</b> (* ) Lots 17 & 18 will have a minimum lot width and acreage of 35-foot and ±14,000 sq. ft.	
<b>SETBACKS:</b> (* ) 25-foot separation between the garage and edge of sidewalks (** ) 5' pool & cage setback	<b>Front</b> <b>Side</b> <b>Rear</b> <b>Waterfront</b>	<b>23'(*)</b> <b>7.5'</b> <b>12'(**)</b> <b>30'</b>
<b>OPEN SPACE:</b>	<b>Required: 25% or 10.05 acres</b> <b>Provided: 31% or 12.50 acres</b>	
<b>RECREATIONAL AMENITIES:</b>	<b>None</b>	
<b>RECREATIONAL ACREAGE:</b>	<b>None</b>	
<b>BUFFERS:</b>	<ul style="list-style-type: none"> <li>● <b>20' roadway buffer along Upper Manatee River Road (± 480 feet)</b></li> <li>● <b>30' greenbelt buffer along east, south, and west property boundaries</b></li> </ul>	
<b>ACCESS:</b>	<b>2 access points:</b> <ul style="list-style-type: none"> <li>● <b>Upper Manatee River Road, two-lane Collector roadway</b></li> <li>● <b>7<sup>th</sup> Avenue NE, two-lane local roadway</b></li> </ul>	

<b>FLOOD ZONE(S)</b>	<b>Zones X and AE with Base Flood Elevation of 12.1' NGVD 1929 per FIRM Panel 120153 0220C. No proposed encroachment in the Mill Creek regulatory floodway</b>
<b>AREA OF KNOWN FLOODING</b>	<b>Yes, riverine/rainfall. 25-year attenuation of runoff required</b>
<b>UTILITY CONNECTIONS</b>	<b>Water and sewer available</b>

**ENVIRONMENTAL INFORMATION**

<b>Overall Wetland Acreage:</b>	<b>3.56 acres</b>
<b>Proposed Impact Acreage:</b>	<b>None</b>

**Wetlands**

The site contains approximately 3.56 acres of 617 – Mixed Wetland Hardwoods. The applicant is proposing no impacts to wetlands or the required 30' wetland buffer, which is provided and depicted on the site plan.

**Uplands**

The site contains approximately 0.70 acres of 427 – Live Oak habitat and 1.62 acres of 438 – Mixed Hardwoods habitat on-site. The applicant is providing 1.4 acres of upland habitat preservation of these habitats located outside of the required wetland buffers.

**Endangered Species**

According to the environmental report, no protected species were observed nesting or denning within the on-site habitats. Staff proposes a stipulation to require an updated report prior to Final Site Plan approval.

**Trees**

The applicant has not provided the total number of trees on-site, however, there is a tally of trees to be removed of 586. Of these, 443 are pine trees that staff has determined may be replaced at a 3:1 ratio for a total of 148 replacement trees. This 3:1 ratio was determined after staff researched the site and found that on 1973 aerial photos there were planted pines on-site, that were harvested between 2003 and 2006, leaving behind a dozen or so mature trees. These trees appear to have generated the smaller trees now on-site and slated for removal. Total trees to be removed within lot boundaries that are not subject to replacement is 91. Tree replacement for the balance of 143 non-pines will be in accordance with Section 714.8.7 of the LDC and will be provided on-site.

The applicant has designed the storm water pond around many large live oaks to allow preservation and will attempt to preserve trees in the 30' perimeter greenbelt buffers, as the fill proposed on-site allows. Staff may request use of stemwall construction and/or retaining walls to achieve preservation of larger, healthy trees.

Staff has recommended the applicant request Specific Approval for Section 714.8.7 Tree Removal/Replacement to allow for smaller replacement tree sizes of 3"/4"/4" in lieu of 3"/5"/7" and 715.3.2 – Street Trees to allow that street trees be provided at a rate of 1 tree per lot per frontage.

#### **Landscaping/Buffers**

The site plan shows 30' greenbelt buffers around the entire perimeter of the site. The wider buffers are proposed to address compatibility between the smaller lots proposed and the large surrounding lots. The applicant will attempt to preserve healthy existing trees within the 30' buffer where feasible, considering the amount of fill dirt that will be needed on the lots. A 20' wide roadway buffer is being provided along Upper Manatee River Road. Existing trees in this buffer may also be preserved, depending on fill dirt conditions. The applicant has estimated that approximately 3 feet of fill will be placed on the perimeter lots, which may necessitate use of stemwall construction and retaining walls to keep fill dirt out of drip lines of significant, healthy trees. Both the perimeter buffers and the roadway buffer will meet or exceed the minimum LDC requirements for plantings.

Landscaping for screening is proposed around the lift station that is proposed in the southwest corner of the project area, which meets the LDC requirement.

<b>NEARBY DEVELOPMENT</b>				
<b>RESIDENTIAL</b>				
<b>PROJECT</b>	<b>Lots / Units</b>	<b>Density</b>	<b>Minimum Lot/Unit size</b>	<b>Approved</b>
Greyhawk Landing	789	1.22	7,500 sq. ft.	2001
Greyhawk Landing West	501	1.60	7,200 sq. ft.	2005
Country Meadows	247	0.96	15,200 sq. ft.	2001
Mill Creek IV	38	0.83	18,000 sq. ft.	1998
Mill Creek VII	259	0.82	18,200 sq. ft.	2002
Hidden Oaks	81	0.98	19,200 sq. ft.	1988
Waterlefe Golf & River Club	623	1.00	7,020 sq. ft.	2001
Greenfield Plantation	616	1.35	5,200 sq. ft.	1995
Gates Creek	184	2.30	6,600 sq. ft.	1995
Wilderness Crossings	68	1.83	14,000 sq. ft.	2011
Raven Crest	38	2.1	7,800 sq. ft.	2013
<b>POSITIVE ASPECTS</b>				
<ul style="list-style-type: none"> <li>• <b>The surrounding area is developed with low and moderate density single-family residential developments.</b></li> <li>• <b>The design shows two means of access.</b></li> <li>• <b>The design shows 31% open space.</b></li> <li>• <b>30-foot wide greenbelt landscaped buffer is provided along to the east, south, and west property boundaries in areas adjacent to single-family residential lots.</b></li> <li>• <b>PDR allows the Board to stipulate development to ensure compatibility.</b></li> </ul>				
<b>NEGATIVE ASPECTS</b>				
<ul style="list-style-type: none"> <li>• <b>Proposed lot sizes are smaller than surrounding lots to the east, south, and west at Hidden Oaks Subdivision, and lots across Upper Manatee River Road.</b></li> <li>• <b>Adjacent residents to the south may be impacted by traffic noise along 7<sup>th</sup> Avenue NE.</b></li> <li>• <b>The site is partially within the Coastal Evacuation Area, Coastal High Hazard Area, and County delineated 25-year floodplain.</b></li> <li>• <b>No recreational areas are provided.</b></li> </ul>				

### MITIGATING MEASURES

- **The applicant is providing a 30-foot wide greenbelt buffer that will be planted with canopy trees along areas abutting larger residential lots.**
- **The development will be a small residential community and the Traffic Impact Analysis shows that the majority of the trips will be entered and leave the project site via the primary access point at Upper Manatee River Road.**
- **No lots are located within the Coastal Evacuation Area and Coastal High Hazard Area.**
- **Proposed home-sites are concentrated to the greatest extent along the periphery and outside of the 25-year floodplain, flood plain compensation is provided for the 25-year and 100-year storm event, and proposed finish floor elevation of home-sites will be at minimum one-foot above B.F.E.**
- **A fountain will be provided in the lake as a focal point.**

### STAFF RECOMMENDED STIPULATIONS

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

1. No detention or retention ponds shall be constructed within landscape buffers or greenbelt buffers.
2. A fountain in the lake shall be provided as a focal point. This shall be shown on the Final Site Plan and installed or bonded prior to Final Plat.
3. At Final Site Plan, the applicant shall provide a cultural resource survey in order to indicate if historic structures, archaeological sites, or artifacts are within the project area. On-site monitoring by a professional archaeologist shall take place during all infrastructure excavation through wetland areas if historic structures, archaeological sites, or artifacts are found within the project area.
4. Any significant historical or archaeological resource discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offences Concerning Dead Bodies and Graves) shall be followed.
5. Prior to Final Site Plan Approval, the applicant shall gain approval of a Hurricane Evacuation and Disaster Plan from the Public Safety Department's Emergency Management Division. The plan shall demonstrate how the delivery of the Manatee County "All-Hazard Guide" and Red Cross brochure "Your Family Disaster Plan" to

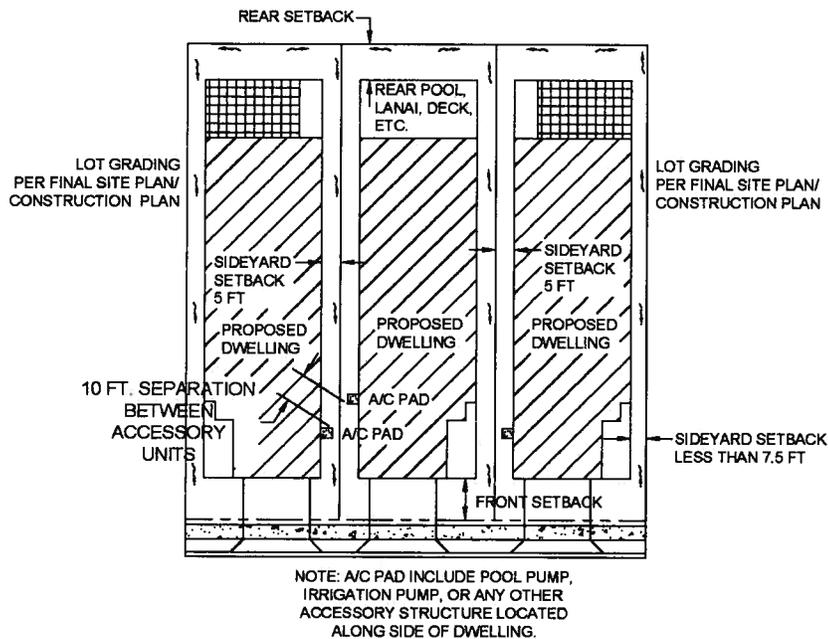
each homeowner will be accomplished, and assure of receipt or posting of an evacuation zone map. The homeowner's association shall include a delivery plan for these documents to all subsequent purchasers. The Homeowners Documents and Final Site Plan shall include a notice to inform homeowners that they are purchasing a home within a project that is partially located within the Coastal High Hazard Area and the Coastal Evacuation Area.

**B. PUBLIC WORKS CONDITIONS:**

1. The applicant shall pay into the sidewalk fund an amount in lieu of installation to be determined by Public Works prior to Final Site Plan approval and construction plan approval.

**C. STORMWATER CONDITIONS:**

1. All fill within the 100-year floodplain shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. The 100 year compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e. stormwater attenuation and floodplain compensation. As an alternative, the applicant must demonstrate through a stormwater drainage model that utilizes the Manatee River timing and tailwater elevations to demonstrate reverse flow into the on-site stormwater retention ponds during a 100-year, 24-hour storm event. The volume of stormwater that backfeeds into the on-site stormwater retention ponds will be credited as floodplain compensation volume.
2. The applicant shall obtain all state and federal permits with respect to roadway improvements associated with this project along Upper Manatee River Road.
3. There shall be a minimum ten (10)-foot separation between accessory equipment (e.g. air conditioner units, heat pumps pumps, etc.) and structures alongside adjoining houses with side yard setback of 7.5 feet or less.



#### **D. ENVIRONMENTAL CONDITIONS:**

1. 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 Building and Development Services Department for any listed species found on-site, prior to commencement of construction.
2. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with Final Plat approval.
3. No lots shall be platted through post-development wetlands, wetland buffers, or upland preservation areas.
4. Tree density within the 30 foot greenbelt buffer shall be consistent with the trees shown as preserved and planted on the approved Preliminary Site Plan. Should additional tree removal be required within the 30 foot greenbelt buffer due to fill requirements, the Final Site Plan shall indicate the size, type, and species of trees to be planted in order to maintain the tree density.
5. 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.

6. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County 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.

**E. NOTICES**

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 following:

- a. Manatee County has no obligation relative to Mill Creek to maintain, change, improve, clean, repair erosion, or restore the natural changes in the course of the Mill Creek stream bed,
- b. Planned thoroughfare adjacent to the project (i.e. Upper Manatee River Road, an existing two-lane collector that is planned to be a 120-foot wide four-lane collector),
- c. Potential noise associated with the planned roadways,
- d. Portions of the site are in the pre-development 100-year and 25-year floodplains and may be subject to flooding. Proposed subdivided lots are to be graded such that residences will be located outside of the post-development 100-year and 25-year floodplains.
- e. Portions of the site are within the Coastal High Hazard Overlay District and the Coastal Evacuation Area, and
- f. A Hurricane Evacuation Plan is approved by the Emergency Management Division of the Public Safety Department for this project.

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

**None**

<b>COMPLIANCE WITH LDC</b>				
<b>Standard(s) Required</b>	<b>Design Proposal</b>	<b>Compliance</b>		<b>Comments</b>
		<b>Y</b>	<b>N</b>	
<b>BUFFERS</b>				
<b>20' roadway buffer, Upper Manatee River Road</b>	<b>Shown</b>	<b>Y</b>		<b>± 480' along Upper Manatee River Road at the west portion of north property boundary. Central and east portions of the north property boundary are conservation areas (wetlands and wetland buffer)</b>
<b>15' greenbelt buffer</b>	<b>30' Shown</b>	<b>Y</b>		<b>Exceeds standard. 30' wide greenbelt buffer along to the east, south, and west property boundaries</b>
<b>Buffer landscaping</b>	<b>Shown</b>	<b>Y</b>		<b>To be in accordance of LDC Section 715</b>
<b>SIDEWALKS</b>				
<b>5' internal sidewalks</b>	<b>Shown</b>	<b>Y</b>		
<b>5' sidewalk, exterior</b>	<b>Shown</b>		<b>N</b>	<b>± 340 feet of sidewalk is provided west and east of project entrance. Applicant requests Specific Approval to pay in lieu of construction of a sidewalk along Upper Manatee River Road adjacent to a wetland and over Mill Creek</b>
<b>ROADS &amp; RIGHTS-OF-WAY</b>				
<b>50' internal rights-of-way</b>	<b>Shown</b>	<b>Y</b>		<b>Streets to be public</b>
<b>24' paved roadways</b>	<b>Shown</b>	<b>Y</b>		
<b>Interneighborhood Ties</b>				<b>Yes</b>

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE**  
**Factors for Reviewing Proposed Site Plans (Section 508.6)**  
**Planned Districts - Rezone Review Criteria (Section 603.4)**

**Physical Characteristics**

The ±40.19-acre site is currently vacant and has a rectangular shape with frontage along Upper Manatee River Road (1,335 feet - north property boundary) and 7<sup>th</sup> Avenue NE (250 feet – south property boundary). To the east, the site is adjacent to a perennial stream (Mill Creek), and contains approximately 3.56 acres of wetlands. No impact is proposed to the wetland and wetland buffer.

**Public Utilities, Facilities and Services**

The site will be served by County water and sewer. The lowest quality water for irrigation is a well(s).

**Compatibility**

The site is surrounded to the east, south, and west by Hidden Oaks Subdivision zoned PDR, and approved for a maximum of 81 lots with a minimum lot size of 19,200 square feet. To the north, across Upper Manatee River Road, there are single-family lots zoned RSF-1, with sizes that vary between ½ acre and 5 acres.

Further northeast and south east, there are single-family homes as part of different subdivisions (Country Meadows, Mill Creek, and Wilderness Crossings) with a minimum lot size of 14,000 square feet. To the southwest, there are a variety of single-family residential developments approved with a range of lot sizes that vary from 5,200 square feet (Greenfield Plantation) to 7,500 square feet (Greyhawk Landing). The minimum lot size at the most recently approved subdivision in the area (Raven Crest) is 7,800 square feet, same as which is proposed for this project.

PDR zoning requires approval of a site plan by the Board of County Commissioners to address any compatibility concerns. PDR zoning also provides greater flexibility for the project to establish appropriate buffers to help minimize any compatibility and transition concerns with the surrounding zoning and land uses.

**Transitions**

The site has been zoned A since the adoption of the 1990 Land Development Code. Land uses have changed since the zoning was established, and a significant portion of the nearby area has been developed with low and moderate residential density. Some of the surrounding residential developments with access from Upper Manatee River Road are Hidden Oaks, Greyhawk Landing, Country Meadows, Mill Creek, Wilderness Crossings, and Raven Crest, since further west, are Waterlefe Golf & River Club, Gates Creek and Greenfield Plantation. The project appears to be consistent with the development trends.

**Design Quality**

The project includes 63 single-family lots, with a minimum lot width of 50 feet and a minimum lot size of 6,000 square feet. The lots are arranged with frontage along an internal roadway,

developed in the west and south portion of the site. In the central area of the subdivision is located the stormwater pond, and to the northeast a conservation area adjacent to Mill Creek.

Two means of access are proposed to serve the residential subdivision, one from Upper Manatee River Road (north access), and other from 7<sup>th</sup> Avenue N.E (south access) connecting to Hidden Oaks Subdivision. The design includes landscaped open space and a fountain in the lake as a focal point. No recreational amenities are included.

### **Adjacent Property**

The site is surrounded to the east, south, and west by residential areas zoned PDR, and to the north, across to Upper Manatee River Road by residential areas zoned RSF-1. A 20-foot wide roadway buffer is provided along to Upper Manatee River Road at the northwest portion of the site. A 30-foot wide greenbelt buffer separates the project from existing nearby residential subdivision (Hidden Oaks).

### **Streets, Drives, Parking and Service Areas**

The site has access via an entrance road connecting Upper Manatee River Road to the north and 7<sup>th</sup> Avenue N.E to the south. The proposed residential street will be public, with a minimum right-of-way width of 50 feet, and a minimum 24 feet pavement width.

### **Pedestrian Systems.**

The design shows five-foot wide sidewalks on one side of the internal street within the project. ± 340 feet of sidewalk is provided west and east of project entrance. The applicant is requesting Specific Approval to pay in lieu to construct the required sidewalk along the wetland and on the bridge over Mill Creek (± 960 feet of sidewalk), approximately 200 feet east of the proposed roadway entrance center line to the northeast corner of the project.

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

According to the environmental narrative, there are approximately 3.56 acres of wetland on-site, and no impacts to the wetland or the required 30' wetland buffer are proposed. There are approximately 0.70 acres of upland habitat on-site, and the applicant is providing 1.4 acres of upland habitat preservation of these habitats located outside of the required wetland buffers.

Areas adjacent to Mill Creek are considered to have a moderate to high potential for archaeological site. At Final Site Plan stage the applicant shall provide a cultural resource survey in order to indicate if historic structures, archaeological sites, or artifacts are within the project area.

### **Density**

The proposed maximum density (1.58 gross and 1.98 net) is in compliance with the UF-3 FLUC. However, Special Approval is required because the gross density exceeds one dwelling unit per acre in the UF-3 FLUC. Special approval may be acquired through the planned development process.

**Height**

The maximum 35-height should not create any external impacts that would adversely affect the surrounding development.

**Fences, Screening, and Landscaping**

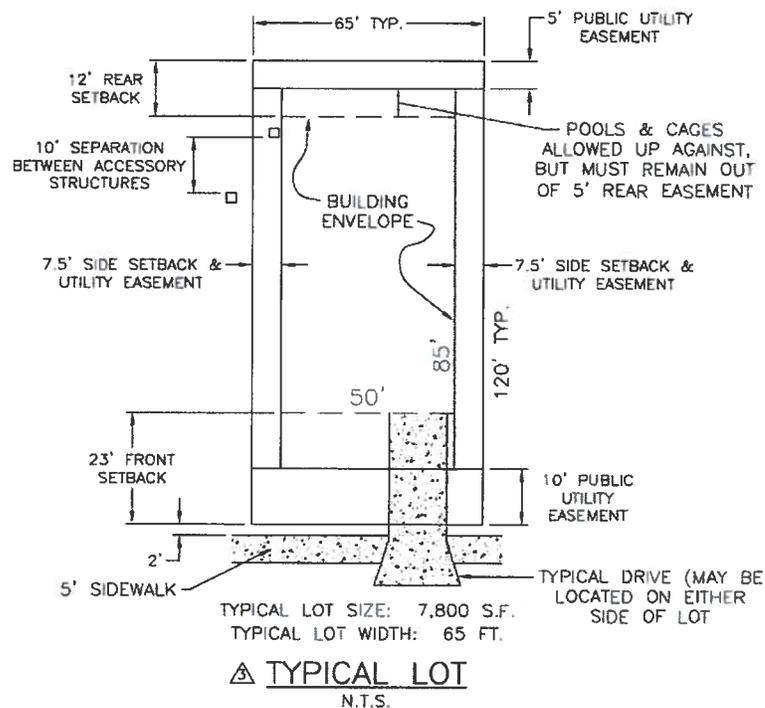
No perimeter fencing is proposed. The greenbelt buffer adjacent to residential properties to the east, south, and west will be 30-foot wide and screened with landscaping in accordance with standards listed in LDC Sections 603.7.4.5 and 715 (one shade tree planted every 30 ft. on center). To the north, a 20-foot wide roadway buffer is provided along Upper Manatee River Road (± 480 feet long) planted with 2 canopy trees and 33 shrubs every 100 ft. The rest of the north property boundary (central and east portions) is a conservation area (wetlands and wetland buffers).

**Yards and Setbacks**

Setbacks are as shown in the site plan. The established minimum setbacks for the project are shown in the following chart: (See Typical Lot Envelope)

<b>Use/Type</b>	<b>Front</b>	<b>Side</b>	<b>Rear</b>
Single-family detached	23'/15'*	7.5'	12'
Wetland buffer	15'		
Waterfront	30'		

(\*) A 25-foot separation between the garage and edge of sidewalks is provided. Corner lots shall provide a 15-foot setback from the structure (non-garage) to the property line adjacent to the other street.



**△ NOTE:**

LOT NOS. 17 & 18 TO HAVE MINIMUM LOT WIDTH OF 35'. LOT NO. 17 HAS A LOT SIZE OF 13,895 S.F. AND LOT NO. 18 HAS A LOT SIZE OF 14,076 S.F.

**Trash and Utility Plant Screens**

Single-family units will be served by individual can pick-up to be reviewed with the Final Site Plan.

**Signs**

All signs will be reviewed with the Final Site Plan and Building Permits.

**Mixed Use or Entranceway Designation.**

The site is not in an area designated as an Entranceway of the County.

**Water Conservation.**

The development will be required to conform to Manatee County Land Development Code and Engineering Standards for water conservation measures.

**Rights-of-Way**

Internal street(s) will be public and designed to Manatee County Public Works Standards and will be reviewed with future Final Site Plan.

### **Utility Standards**

Connection to Manatee County utilities is required and will be reviewed in greater detail with future Final Site Plan.

### **Stormwater Management**

Portions of the project lie within the FEMA 100-yr floodplain and floodway delineation pursuant to Preliminary DFIRM Mapping and the Flood Insurance Study Floodway Data Table for Mill Creek. No encroachment in the regulatory floodway is proposed. The design of the stormwater facilities will be required to meet the requirements of LDC Section 717 and the adopted Manatee County Development Standards for the treatment of stormwater. Stormwater facilities will be reviewed in greater detail with future site plan submittals.

### **Open Space.**

The site plan shows 31% or 12.50 acres of open space is provided with this project. Landscaped open space is provided, and, as a focal point, a water fountain within the lake has been included.

## **COMPLIANCE WITH COMPREHENSIVE PLAN**

**The site is in the UF-3 Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:**

**Policy 2.1.2.7 Appropriate Timing.** The timing is appropriate given development trends in the area. The surrounding area is transitioning from agriculture to suburban and urban residential developments.

**Policy 2.2.1.11.1 Intent.** The use is consistent with the intent of the UF-3 FLUC which provides for low density urban, or low clustered low-moderate density urban through the planned unit development. The proposed gross density (1.58 du/acre) exceeds the Special Approval threshold (1.00 gross) in the UF-3 FLUC.

**Policy 2.2.1.11.2 Range of Potential Uses.** Single-family detached homes within suburban or urban density, neighborhood commercial and offices uses are included in the range of potential uses for this FLUC.

**Policy 2.6.1.1 Compatibility.** PDR developments can be designed to permit development consistency with the growing development trends in the area. The proposed use and setbacks are comparable with surrounding developments, and the lot size is consistent with recently approved residential projects in the north, and east portions of the County that considered smaller lots. Appropriate buffers are provided for compatibility and transition between existing developments, and additionally, PDR allow the Board to attach stipulations to ensure the project is compatible with surrounding uses.

**Policy 2.6.2.7 Require Clustering to Limit Impacts.** The site design shows no impacts to the 3.56 acres of wetland on-site.

**Policy 2.6.5.4 Preserve/Protect Open Space.** The site plan shows 31% open space (12.50 acres). 25% open is required.

## TRANSPORTATION

### Major Transportation Facilities

The site is adjacent to Upper Manatee River Road, a two-lane collector.

### Transportation Concurrency

Transportation Concurrency was evaluated as part of the review of this project. The applicant prepared a Traffic Impact Analysis (TIA) to determine impacts to the segment of Upper Manatee River Road, including the adjacent intersection, near the project site. The results of the TIA, which were reviewed and approved by the Transportation Planning Division, indicated that the impacted roadway segment is expected to operate above the level of service (LOS) "D" performance standard with project-related traffic and with no off-site concurrency-related improvements being required for the project (see Certificate of Level of Service Compliance table below).

### Access

In conjunction with transportation concurrency, a review of access issues was undertaken by County staff. The project is expected to have access onto Upper Manatee River Road, a two-lane collector, and 7<sup>th</sup> Avenue NE, a two-lane local roadway.

The results of the access review indicated that a site-related improvement will be required for the project. This improvement, which is required to address safety and operations concerns, will involve an exclusive westbound left-turn lane along Upper Manatee River Road at the project driveway.

### Right of Way

The need for additional right of way to accommodate any required on-site improvements will be reviewed and determined with the submittal and approval of an access management study during the review of the final site plan. Any right of way to be dedicated shall be shown on the final site plan and final plat(s) and shall be dedicated prior to approval of the first Final Plat.

<b>CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE</b>			
<b>TRANSPORTATION CONCURRENCY</b>			
<b>CLOS APPLIED FOR:</b>		<b>YES</b>	
<b>TRAFFIC STUDY REQ'D:</b>		<b>YES</b>	
NEAREST THOROUGHFARE	LINK	ADOPTED LOS	FUTURE LOS (W/ PROJECT)
Upper Manatee River Road	Curve to Rye Road (Link #3250)	D	C
<p>In summary, the results of the traffic study review identified no off-site concurrency improvements. However, a site-related improvement (i.e. a westbound left-turn lane along Upper Manatee River Road at the project driveway) is required.</p>			
<b>OTHER CONCURRENCY COMPONENTS</b>			
<p>Solid waste landfill capacity, parks needs, and preliminary drainage intent have been reviewed with this Preliminary Site Plan. School capacity, potable water and waste water will be reviewed at the time of Final Site Plan/Construction Drawings.</p>			

<b>SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS</b>
<p><b><u>Applicant Request:</u></b></p> <p><b>1. <u>Alternative to LDC Section 714.8.7 – Tree Replacement Size</u></b>                      LDC Section 714.8.7 requires replacement tree calipers to be three, five, or seven inches depending on the size of the tree removed. The request is to allow replacement tree calipers to be three or four inches.</p> <p><b>Staff Analysis and Recommendation:</b>                      Staff is in support of the request for Specific Approval for an alternative to Section 714.8.7 of the LDC to allow replacement tree sizes at 3”/4”/4” instead of 3”/5”/7”. Staff believes that smaller size trees typically establish and grow faster. Therefore, they provide more tree canopy sooner. The LDC is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 – Tree Protection.</p> <p><b>Finding for Specific Approval:</b>                      Notwithstanding the failure of this plan to comply with the requirements of LDC Section 714.8.7, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required number of trees and canopy will be provided.</p>

**2. Alternative to LDC Section 715.3.4 – Street Trees**

LDC Section 715.3.4 requires one (1) canopy tree every fifty (50) linear feet along rights-of-way in residential developments, to allow for one canopy tree per lot per frontage.

**Staff Analysis and Recommendation:**

Staff is in support of the request for Specific Approval for an alternative to Section 715.3.4 of the LDC to allow only 1 tree per lot per frontage instead of one per 50 linear feet, as more than one tree on narrow lots creates conflicts between the trees and infrastructure. This alternative avoids these conflicts from occurring.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.4, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree, as providing less trees will prevent future removal to prevent conflicts with infrastructure.

**3. Alternative to LDC Section 722.1.4.1 and 722.1.4.4 - Sidewalks along Major Thoroughfares/extension 1,000 feet beyond outer limits of project**

The applicant is requesting a waiver from construction of sidewalk along Upper Manatee River Road from a point approximately 200 feet east of the proposed driveway center line to the northeast corner of the property. The applicant proposes a payment for this sidewalk to Manatee County in lieu of not constructing the sidewalk in this location. The applicant requests that the payment for this section of sidewalk be determined based on the construction costs of the other sidewalks within this development. There is an existing wetland in this location which would be negatively impacted by the construction of said sidewalk, the cost to elevate the sidewalk over the wetland, the perpetual maintenance cost of the elevated sidewalk, and the fact that the existing Upper Manatee River Road bridge over Mill Creek does not have sidewalks over it are reasons for the request.

**Staff Analysis and Recommendation:**

Pursuant to LDC Section 722.1.4.1. Major Thoroughfare Streets. For all developments requiring Administrative or Special Permits, Preliminary or Final Site Plans, or Preliminary or Final Plat approval, a minimum of five-foot wide sidewalks constructed to the specifications of the Manatee County Public Works Standards, shall be installed on both sides of all new or existing Major Thoroughfares. All development, adjacent only to one (1) side of a Major Thoroughfare, shall be required to construct a sidewalk only on the side of such street lying adjacent to the development.

Pursuant to LDC Section 722.1.4.4. The Building and Development Services Department may require construction of sidewalks to extend a maximum distance of one thousand (1,000) feet beyond the outer limits of the proposed development, where necessary to connect with or extend to other existing sidewalks, in the interest of safety, for handicap accessibility, and to extend sidewalks to existing or proposed

attractors after considering the impacts of the proposed development.

Existing site conditions (a bridge over Mill Creek on Upper Manatee River Road, including a 42 inch Water Main crossing along the south side of the bridge) prevent a sidewalk to be extended from the project to an existing sidewalk which terminates across from Mill Creek Road (Private). There is no existing sidewalk located along the north side of Upper Manatee River adjacent to the project. In addition, there are wetland delineated areas along the southern right-of-way, between the proposed project entrance and the bridge, and a substantial roadside ditch which flows along Upper Manatee River Road. Staff is in agreement with the applicant's request analysis regarding the physical constraints and additional maintenance required to construct a sidewalk over the existing wetland and Mill Creek.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Sections 722.1.4.1 and 722.1.4.4, the Board finds that the request of the LDC regulations are satisfied to an equivalent degree due to the existing physical constraints.

**SPECIAL APPROVAL – FINDINGS**

"Special Approval" is a process requiring an additional level of review pursuant to the Comprehensive Plan. It is defined as a development order review and approval process entailing, at a minimum, project review and approval by the Manatee County Board of County Commissioners or the specific delegation of any specific review and approval process, or part thereof, to one or more County departments with option for appeal to the BOCC. The planned development process allows the Board of County Commissioners to approve stipulations to ensure compatibility with surrounding zoning and land uses and address any specific issues related to the development.

Special Approval is required for a project:

**Exceeding a gross density of one (1) dwelling unit per acre in the UF-3 FLUC.**

Comprehensive Plan Policy 2.2.1.11.4 requires special approval for all projects which the gross residential density exceeds 1.00 du/acre.

The proposed gross density (1.58 du/acre) is consistent with the maximum density threshold allowed in the UF-3 FLUC (3 du/acre gross), and comparable with surrounding residential projects approved with a gross density that vary from 0.82 to 2.30 du/acre.

The proposed gross density appears appropriate since is consistent with the developments trends of the nearby area that is developed with low and moderate residential density.

**Adjacent to a perennial stream, habitable structures located within the 25-year floodplain, partially in the Coastal High Hazard Overlay District, and partially in the Coastal Evacuation Area.**

The Comprehensive Plan requires Special Approval for projects adjacent to a perennial stream (Policy 3.2.2.1), with habitable structures located within the 25-year floodplain (Policy 2.3.3.4), partially within the Coastal Evacuation Area (Policy 2.2.2.4.4), and partially within the Coastal High hazard Overlay District (Policy 2.2.2.5.4).

The site is adjacent to Mill Creek (perennial stream), the County delineated 25-year floodplain, and partially within the Coastal High Hazard Overlay District (CHHA) and the Coastal Evacuation Area (CEA). The proposed plan shows:

- No encroachment in the regulatory floodway of Mill Creek,
- No residential lots located within the CEA or CHHA,
- Home-sites concentrated to the greatest extent along the periphery and outside of the 25-year floodplain,
- Floodplain compensation for the 25-year and 100-year storm event, and
- Finish floor elevation of home-sites at least one-foot above B.F.E.

Additionally, staff stipulated that a Hurricane Evacuation Plan approved by the Emergency Management Division of the Public Safety Department shall be provided prior to approval of a Final Site Plan.

The proposed preliminary site plan appears appropriate and consistent with the applicable regulations related to preserve and protect natural features and sensitive environments.

The Board finds that the purpose of the Special Approval regulation is satisfied by the analysis provided in the staff report and proposed design which indicates the proposed project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

#### **ATTACHMENTS**

- 1. Applicable Comprehensive Plan Policies**
- 2. Zoning Disclosure Affidavit**
- 3. Request for Specific Approval**
- 4. Traffic Impact Analysis**
- 5. 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: 2.1.2.4 Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, and redevelopment area planning efforts when applicable in areas which are internal to, or are contiguous expansions of the built environment.

Policy: 2.1.2.7 Review all proposed development for compatibility and appropriate timing. This analysis shall include:

- 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
- applicable specific area plans
  
- (See also policies under Objs. 2.6.1 - 2.6.3)

Policy: 2.2.1.11 **UF-3:** Establish the Urban Fringe - 3 Dwelling Units/Gross Acre future land use category as follows:

Policy: 2.2.1.11.1 Intent: To identify, textually, in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas limited to the urban fringe within which future growth (and growth beyond the long term planning period) is projected to occur at the appropriate time in a responsible manner. The development of these lands shall follow a logical expansion of the urban environment, typically

growing from the west to the east, consistent with the availability of services. At a minimum, the nature, extent, location of development, and availability of services will be reviewed to ensure the transitioning of these lands is conducted consistent with the intent of this policy. These UF-3 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community. (See further policies under 2.2.1.11.5 for guidelines)

Policy:

2.2.1.11.2 Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban density planned residential development with integrated residential support uses as part of such developments, retail wholesale or office commercial uses which function in the marketplace as neighborhood or community serving, short-term agricultural uses, agriculturally-compatible residential uses, farmworker housing, 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: 2.2.1.11.3

Range of Potential Density/Intensity:

**Maximum Gross Residential Density:**

3 dwelling units per acre

**Maximum Net Residential Density:**

9 dwelling units per acre

(except within the WO or CSVA 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)

**Maximum Square Footage for Neighborhood Retail Uses:**

Medium (150,000sf)

Large (300,000)\*

\* With Limitations (See Policy 2.2.1.11.5)

Policy:	2.2.1.11.4	Other Information:  a) All mixed, multiple-use, and community serving non-residential projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.  b) All projects for which gross residential density exceeds 1 dwelling unit 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 shall require special approval.
Policy:	2.2.1.11.5	In order to serve more than day to day needs within the low-moderate density urban environment, properties meeting the following criteria may be developed with land uses which are defined as community serving non-residential uses:  a) Located at the intersection of an arterial and a collector roadway as defined in the Chapter 5 of this plan.
Policy:	2.2.2.4.4	Effect of Mapping:  a) Any project which is at least partially within the CEA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased or operated by the Manatee County Port Authority. The area designated under the CEA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CEA District, except where policies associated with the CEA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CEA Overlay shall override other goals, objectives and policies.
Policy:	2.2.2.5.4	Effect of Mapping:  a) Any project which is at least partially within the CHHA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased or operated by the Manatee County Port Authority. The area designated under the CHHA Overlay District on the Future Land Use

Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CHHA District, except where policies associated with the CHHA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CHHA Overlay shall override other goals, objectives and policies. The extent and coverage of the area designated as CHHA is an approximation, and is subject to a more precise determination on any project within, or proximate to, that area shown on the Future land Use Map as CHHA. At the time of review of any such project for issuance of any development order establishing total or partial development potential, evaluation of a pre-development topographic survey of the site shall be utilized to determine the extent of the CHHA District Overlay.

**Policy: 2.3.1.2**

Minimize the alteration or relocation of any perennial lake or stream, or of adjacent jurisdictional wetlands by promoting the transfer of density/intensity away from the water body and out of the floodplain, except for improvements for public water supply sources, upon a finding of overriding public interest by the Board of County Commissioners. Also, limit the density or intensity credit which may be transferred from any acreage of altered or relocated wetlands to 50% of the maximum density or intensity associated with the future land use category on any such wetland. Any such reduction in density or intensity credit shall be in addition to any reduction (see Policy 2.3.1.1) caused by wetland acreage being in excess of 20% of gross project acreage.

**Policy: 2.3.3.4**

Prohibit habitable structures and major public and private investment within the 25-year flood plain except for projects which have special exception status or obtain a Special Approval. This policy shall not preclude the development of water-dependent uses, water-related and water-enhanced uses, stormwater management structures, non-habitable structures, and passive recreational uses where appropriate. Any such development shall:

- minimize impervious surface in the 25-year floodplain;
- cluster structures and uses outside of the 25-year floodplain, whenever possible [see policy 2.3.1.2]; and
- protect perennial lakes and streams by encouraging the dedication of conservation easements not subject to any land alteration within the 25-year floodplain.

This policy applies only for the purposes of reviewing projects for which mapping of the 25-year floodplain has been accomplished, or where

interpolation or use of an existing water surface profile for the watercourse(s) permits the identification of the 25-year flood elevation.

Implementation Mechanism(s):

a) Coordination between the Public Works (Stormwater Management Division), Planning, and Building Departments when reviewing development requests for compliance with this policy and the Floodplain Management Section of the Manatee County Land Development Code.

b) Coordination between the Manatee County Planning Department and the Manatee County Property Appraiser to ensure that conservation easements dedicated to Manatee County are deleted from private property assessments.

Objective 2.6.1

**Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures:** Require suitable separation between adjacent land uses to reduce the possibility of adverse impacts to residents and visitors, to protect the public health, and to provide for strong communities.

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]

Objective 2.9.1

**Strong Communities:** Create and maintain communities which are characterized by their:

- connection, integration, and compatibility with surrounding land uses,
- community spaces and focal points,
- protection of the natural environment,
- connection and integration of pedestrian, bicycle, and

	<ul style="list-style-type: none"><li>- vehicular systems,</li><li>- usable open spaces, and public access to water features,</li><li>- unifying design elements and features,</li><li>- variety of housing stock,</li><li>- pedestrian oriented structures, and pedestrian friendly design,</li><li>- connection to recreational facilities, schools, adjacent neighborhoods, employment opportunities and commercial uses.</li></ul>
Policies: 2.9.1.1	Minimize the development of residential projects which create isolated neighborhoods.
Policy: 2.9.1.2	Promote the connection and integration of community pedestrian, bicycle, and vehicular systems to the larger county systems. (See also Obj. 3.3.3)
Policy: 2.9.1.3	Provide vehicular access between neighborhoods, particularly (but not exclusively) when part of a planned unit development containing more than one neighborhood.
Policy: 2.9.1.4	Encourage the development of a variety of housing options and architectural styles within a community. (See also Obj. 6.1.1)
Policy: 2.9.1.5	Promote the development of pedestrian friendly designs.
Policy: 2.9.1.6	Promote the use of unifying design elements and features.
Policy: 2.9.1.7	Encourage the development of community spaces, including usable open space and public access to water features.
Policy: 2.9.1.8	Encourage the design of residential projects providing continuous green space connecting neighborhoods.
Policy: 2.9.1.9	Require where feasible, pedestrian and bicycle access to community spaces, schools, recreational facilities, adjacent neighborhoods, employment opportunities, professional and commercial uses. (See also Obj. 3.3.3)
Policy: 3.2.2.1	Require all projects that are adjacent to any perennial lake or stream, as reflected in the Manatee County Soil Survey, obtain special approval to ensure that project impacts on these waterbodies are identified and minimized. [See policy 2.3.1.2]

**Policy: 4.4.2.2**

Require new development in the Coastal Planning Area to provide hurricane evacuation plans for the project in coordination with the County's Emergency Management Division, and require the implementation of such plans with funding for such planning and implementation provided by the developers of the project or their successors.

**Implementation Mechanism(s):**

- a) Emergency Management Division participation in the development review process and review of all development in the Coastal Planning Area to ensure consistency with this policy.
- b) Development Orders will stipulate that no later than one year after construction approval, development projects will submit an effective and compliant hurricane evacuation plan to the Public Safety Department.

**MANATEE COUNTY GOVERNMENT  
BUILDING & DEVELOPMENT SERVICES DEPARTMENT  
ZONING DISCLOSURE AFFIDAVIT**

Project name: MI/Homes of Tampa, LLC/UMRR

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 ( )	
See attached Exhibit "A"	
_____	_____
_____	_____
_____	_____

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

Signature: [Handwritten Signature]  
 (Applicant): [Handwritten Signature]

STATE OF FLORIDA  
 COUNTY OF Hillsborough

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 20th day of JUNE 2013, by [Handwritten Name], who is personally known to me or who has produced \_\_\_\_\_ as identification.  
 (type of identification)

[Handwritten Signature]  
 Notary Signature  
[Handwritten Name]  
 Print or type name of Notary

My Commission Expires: \_\_\_\_\_

Commission No: \_\_\_\_\_

Title or Rank



Exhibit "A" to Zoning Disclosure Affidavit

**M/I Homes of Tampa, LLC**  
**4343 Anchor Plaza Parkway, Suite 200**  
**Tampa, Florida 33634**

Name and Address of Officers:

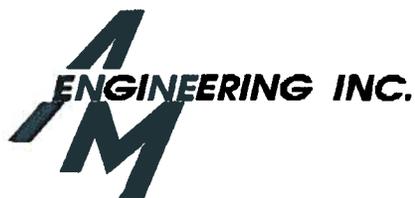
Fred J. Sikorski (President)  
4343 Anchor Plaza Parkway, Suite 200  
Tampa, Florida 33634

Robert H. Schottenstein (President, Manager)  
3 Easton Oval, Suite 500  
Columbus, Ohio 43219

Phillip G. Creek (President, Manager)  
3 Easton Oval, Suite 500  
Columbus, Ohio 43219

J. Thomas Mason (Secretary, Manager)  
3 Easton Oval, Suite 500  
Columbus, Ohio 43219

Marshall S. Gray (Vice President, Manager)  
3 Easton Oval, Suite 500  
Columbus, Ohio 43219



**Consulting Engineers - Surveyors**  
 8340 Consumer Court, Sarasota, FL 34240 Telephone (941) 377-9178  
 Facsimile (941) 378-3786

August 8, 2013

Manatee Board of County Commissioners  
 1112 Manatee Avenue West  
 Bradenton, FL 34205

**RE: Upper Manatee River Road Project  
 Preliminary Site Plan  
 Tree Variance Request**

Dear Board:

Land Development Code 714.8.7 states:

When trees are removed with an approved tree removal permit, such trees shall be replaced as follows:

Existing Tree Size	Required Replacement Caliper Min	Ratio Replacement Trees To Removed Trees
4"-15" D.B.H.	3"	1:1
16"-30" D.B.H.	5"	2:1
Over 30" D.B.H.	7"	3:1

***On behalf of our client, M/I Homes of Tampa, LLC, we respectfully request that the Board approve this letter requesting that the above referenced project be granted a relief from Section 714.8.7 to allow tree replacement sizes at 3" and 4" instead of 3", 5" and 7".***

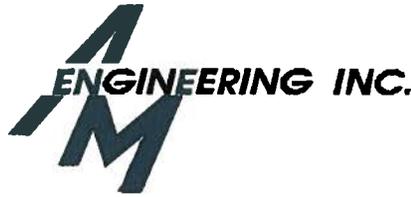
Should you have any questions or need additional information, please do not hesitate to call.

Respectfully,

**AM ENGINEERING, INC.**

  
 Sean Crowell, P.E.

**ZONING**  
 AUG 15 2013  
 Received



August 8, 2013

Manatee Board of County Commissioners  
1112 Manatee Avenue West  
Bradenton, FL 34205

**RE: Upper Manatee River Road Project  
Preliminary Site Plan  
Sidewalk Variance Request**

Dear Board:

Land Development Code Section 722.1.4 requires that sidewalks be constructed only on the side of the street lying adjacent to the development.

***On behalf of our client, M/I Homes of Tampa, LLC, we respectfully request that the Board approve this letter requesting that the above referenced project be granted a relief from Section 722.1.4 for the construction of sidewalk along Upper Manatee River Road from a point approximately 200 feet east of the proposed driveway center line to the northeast corner of the property. We request that payment for this sidewalk is made to Manatee County in lieu of not constructing sidewalk in this location. There is an existing wetland in this location which would be negatively impacted by the construction of said sidewalk, the cost to elevate the sidewalk over the wetland, the perpetual maintenance cost of the elevated sidewalk and that the existing Upper Manatee River Road bridge over Mill Creek does not have sidewalks over it. We request that the payment for this section of sidewalk be determined based on the construction costs of the other sidewalks within this development.***

Should you have any questions or need additional information, please do not hesitate to call.

Respectfully,

**AM ENGINEERING, INC.**

Sean Crowell, P.E.

**GNINNOZ**

AUG 15 2013

**Received**



Consulting Engineers - Surveyors  
8340 Consumer Court, Sarasota, FL 34240 Telephone (941) 377-9178  
Facsimile (941) 378-3786

September 18, 2013

Manatee Board of County Commissioners  
1112 Manatee Avenue West  
Bradenton, FL 34205

**RE: Upper Manatee River Road Project  
Preliminary Site Plan  
Street Tree Variance Request**

Dear Board:

*On behalf of our client, M/I Homes of Tampa, LLC, we respectfully request that the Board approve this letter requesting that the above referenced project be granted a relief from Section 715.3.2 to allow one tree per lot per frontage in lieu of the one tree per 50 linear feet.*

Should you have any questions or need additional information, please do not hesitate to call.

Respectfully,

**AM ENGINEERING, INC.**



Sean Crowell, P.E.

# **M/I HOMES UMRR PROPERTY**

## **TRAFFIC CONCURRENCY STUDY**



4600 West Cypress Street, Suite 550  
Tampa, Florida 33607  
Phone: (813) 387-0084 Fax: (813) 387-0085

## PROFESSIONAL ENGINEERING CERTIFICATION

I hereby certify that I am a Professional Engineer, properly registered in the State of Florida for practicing with Grimail Crawford, Inc., a corporation authorized to operate as an engineering business, Certificate of Authority No. 0008370, by the State of Florida Department of Professional Regulation, Board of Professional Engineers. I am qualified to accomplish work in the areas of Traffic, Transportation and Civil Engineering. I have prepared or been in responsible charge of the evaluations, findings, opinions, conclusions or technical advice attached hereto for:

**PROJECT:** M/I Homes UMRR Property Traffic Impact Analysis

**LOCATION:** Manatee County, Florida

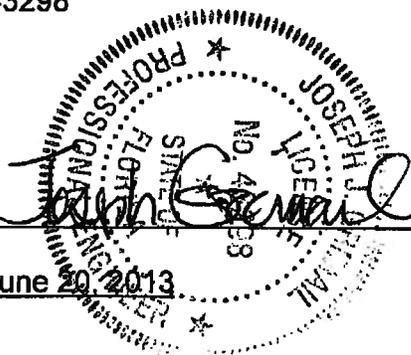
**CLIENT:** M/I Homes

I hereby acknowledge that the procedures and references used to develop the results contained in these analyses, computations and design are standard to the professional practices of Traffic, Transportation and Civil Engineering as applied through professional judgment and experience.

Name: Joseph J. Grimail  
P.E. No.: 43298

SIGNATURE: \_\_\_\_\_

DATE: June 20, 2013



# UMRR PROPERTY TRAFFIC CONCURRENCY STUDY

## TABLE OF CONTENTS

	<b>PAGE</b>
I. INTRODUCTION	1
II. METHODOLOGY	1
III. PROJECT TRIP GENERATION	3
IV. PROJECT DISTRIBUTION AND ASSIGNMENT	3
V. SCHEDULED IMPROVEMENTS	5
VI. STUDY NETWORK DETERMINATION	5
VII. EXISTING TRAFFIC CONDITIONS	8
VIII. BACKGROUND VOLUMES	11
IX. FUTURE TRAFFIC CONDITIONS AND TOTAL VOLUMES	11
X. CONCLUSION	14

## **LIST OF FIGURES**

FIGURE 1 – PROPOSED PROJECT LOCATION	2
FIGURE 2 – NET NEW EXTERNAL PROJECT TRIPS	4
FIGURE 3 – PROJECT STUDY NETWORK	7
FIGURE 4 – EXISTING PM PEAK HOUR TRAFFIC VOLUMES	9
FIGURE 5 – FUTURE TOTAL TRAFFIC VOLUMES	13

## **LIST OF TABLES**

TABLE 1 – PROJECT TRIP GENERATION	3
TABLE 2 – PROJECT STUDY NETWORK IDENTIFICATION	6
TABLE 3 – INTERSECTION CAPACITY ANALYSIS – EXISTING CONDITIONS	10
TABLE 4 – ROADWAY SEGMENT VOLUMES AND LEVELS OF SERVICE: EXISTING CONDITIONS	10
TABLE 5 – INTERSECTION CAPACITY ANALYSIS - FUTURE CONDITIONS	12
TABLE 6 – ROADWAY SEGMENT LEVELS OF SERVICE	14

## **LIST OF APPENDICES**

APPENDIX 1 – CONCEPTUAL SITE PLAN	
APPENDIX 2 – METHODOLOGY STATEMENT	
APPENDIX 3 – EXISTING TURNING MOVEMENT COUNTS/PEAK SEASON FACTORS	
APPENDIX 4 – EXISTING INTERSECTION HCS WORKSHEETS	
APPENDIX 5 – BACKGROUND TRAFFIC DETERMINATION	
APPENDIX 6 – DETAILED TABULATED INTERSECTION TURNING MOVEMENTS AND FUTURE ROADWAY VOLUMES	
APPENDIX 7 – FUTURE TOTAL VOLUME INTERSECTION HCS WORKSHEETS	

## **I. INTRODUCTION**

The purpose of this report is to document a traffic concurrency analysis for the M/I Homes Upper Manatee River Road (UMRR) residential project (Project). The Project is a single-phase project consisting of 63 single-family detached homes. The Project has an anticipated build-out of the year 2016 and is located on Upper Manatee River Road east of Greyhawk Boulevard. This report summarizes the methodologies, procedures, and findings of the analysis. A conceptual site plan is provided in Appendix 1.

Primary access to the site is proposed through a connection on Upper Manatee River Road. A secondary access is located on 7<sup>th</sup> Avenue NE. Figure 1 illustrates the general location of the Project site, including the adjacent external roadway system.

## **II. METHODOLOGY**

The Project analysis is prepared consistent with Manatee County transportation concurrency requirements as stated in the Traffic Impact Analysis Requirements and Procedures document dated January 2012 and the approved methodology statement provided in Appendix 2.

# FIGURE # 1

## Project Location

M/I Homes UMRR  
Property  
Manatee County,  
Florida

Project Number: 10338.130098

Date: June 19, 2013

### LEGEND



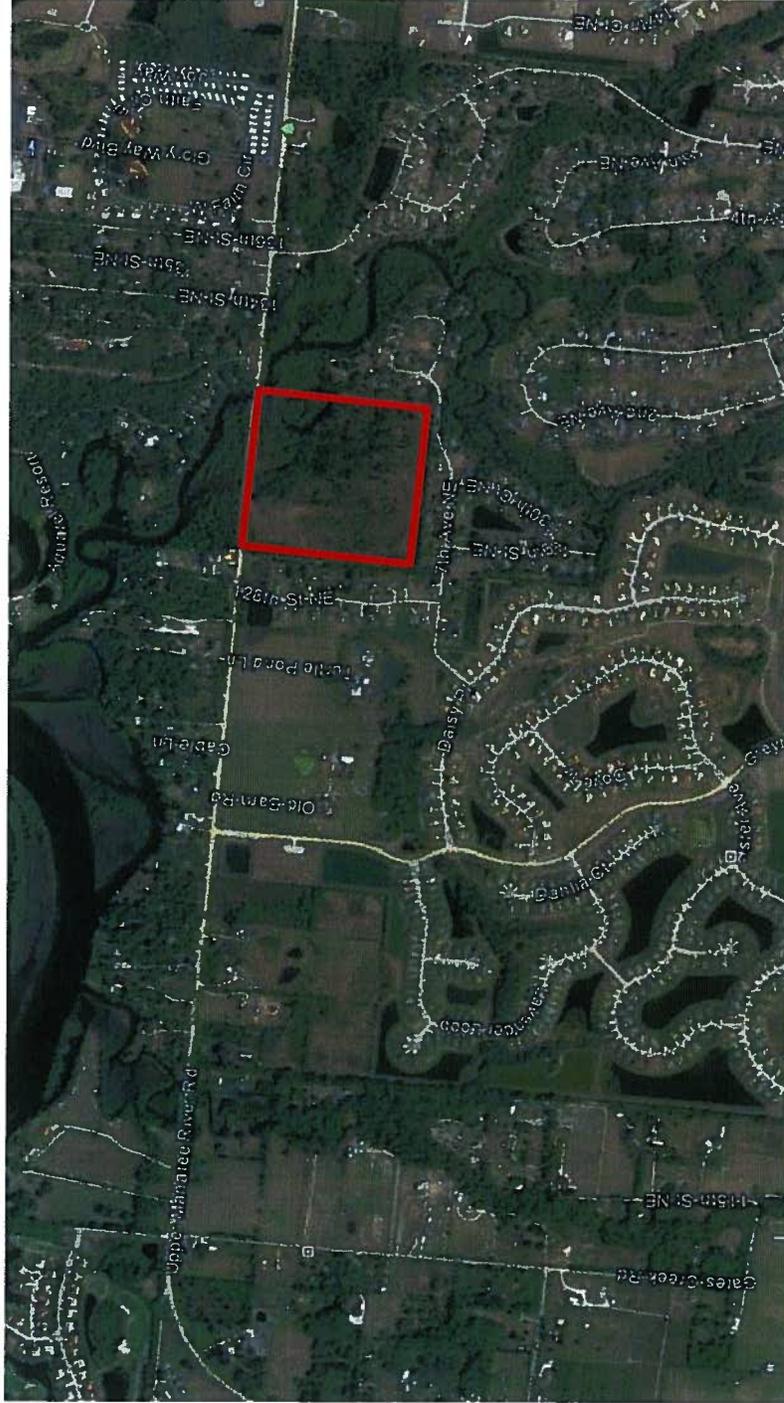
Project  
Location

● : Stop Controlled Location

ⓧ : Traffic Signal Location



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### III. PROJECT TRIP GENERATION

Traffic volumes generated by the project were estimated using the trip generation rates provided in *ITE Trip Generation*, 9<sup>th</sup> Ed. (2012). The results from the trip generation calculations included daily, a.m. peak hour and p.m. peak hour. The gross trip generation for the Project is summarized in Table 1.

**Table 1 – Project Trip Generation**

Land Use	LUC	Size	Units	Daily Trips	Gross AM Peak Hour Trips		Gross PM Peak Hour Trips		
					In	Out	In	Out	
Single-Family Detached Housing	210	63	d.u.	687	14	41	43	26	
				Gross Trips	687	14	41	43	26

Source : ITE, Trip Generation, 9th Ed., 2012

### IV. PROJECT DISTRIBUTION AND ASSIGNMENT

Existing traffic directional distribution taken from a PM peak hour turning movement count Upper Manatee River at SR 64 was assumed to be the best indicator of Project traffic distribution, and therefore was used to assign Project trips to the roadway system. For a conservative estimate of impacts on the thoroughfare roadway network, all trips were assumed to enter and leave the Project via the primary entrance on Upper Manatee River Road, even though a small amount of vehicles may use the 7<sup>th</sup> Avenue NE entrance. Figure 2 illustrates the Project trips on the study roadway network.

# FIGURE # 2

## Net New External Project Trips

M/I Homes UMRR  
Property  
Manatee County,  
Florida

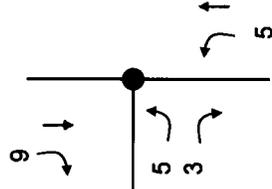
Project Number: 10338.130098  
Date: June 19, 2013

### LEGEND

- : Stop Controlled Location
- ⓧ : Traffic Signal Location



N.T.S.



UMRR

Rye Road

Project

29

14

18 8

5 3

5

## **V. SCHEDULED IMPROVEMENTS**

The identification of scheduled roadway improvements within the study area was performed based upon a review of the current Florida Department of Transportation (FDOT) Work Program and the Capital Improvement Program for Manatee County. Based on this review, no capacity improvements were identified within the study area.

## **VI. STUDY NETWORK DETERMINATION**

The transportation study area for the Project was identified in accordance with current Manatee County transportation concurrency requirements. Based on this, the study area includes those regionally significant roadway links, intersections, and interchanges on which Project traffic consumes 5.0 percent or greater of the adopted two-way peak hour level of service volume of each affected roadway link.

Adopted level of service volumes were taken from the most recent Manatee County Concurrency Transportation Link Sheet. Based on Project trip generation and distribution, the Project is not significant on any thoroughfare roadway. Therefore, the study area is the first directly-accessed thoroughfare roadway link of Upper Manatee River Road from the curve to Rye Road, including the intersection at Upper Manatee River Road and Rye Road. Table 2 details the study network determination and Figure 3 depicts the Project Study Network.

**Table 2**  
**Study Network Identification**  
**MI Homes UMRR Property**

Roadway	From	Lanes (E+C)	LOS Standard	Two-way Pk Hr Service Volume	Project Trip Dist.	PM Peak Hour Project Volumes		Project Vol % of Ser Volume	Significant Impact?
						NB/EB	SB/WB		
Rye Rd	CR 675	2LU	D	2,170	20.0%	5	9	0.65%	No
	Upper Manatee River Rd.	2LU	D	2,170	12.0%	5	3	0.37%	No
Upper Manatee River Rd	SR 64	2LU	D	2,170	68.0%	29	18	2.17%	No
	Curve	2LU	D	2,170	68.0%	29	18	2.17%	No
	Project Driveway	2LU	D	2,170	32.0%	8	14	1.01%	No
SR 64	Lena Rd	6LD	D	5,390	64.0%	28	17	0.83%	No
	Lakewood Ranch Blvd	4LD	D	3,580	4.0%	1	2	0.08%	No

# FIGURE # 3

## Study Network

M/I Homes UMRR  
Property  
Manatee County,  
Florida

Project Number: 10338.130098

Date: June 19, 2013

### LEGEND

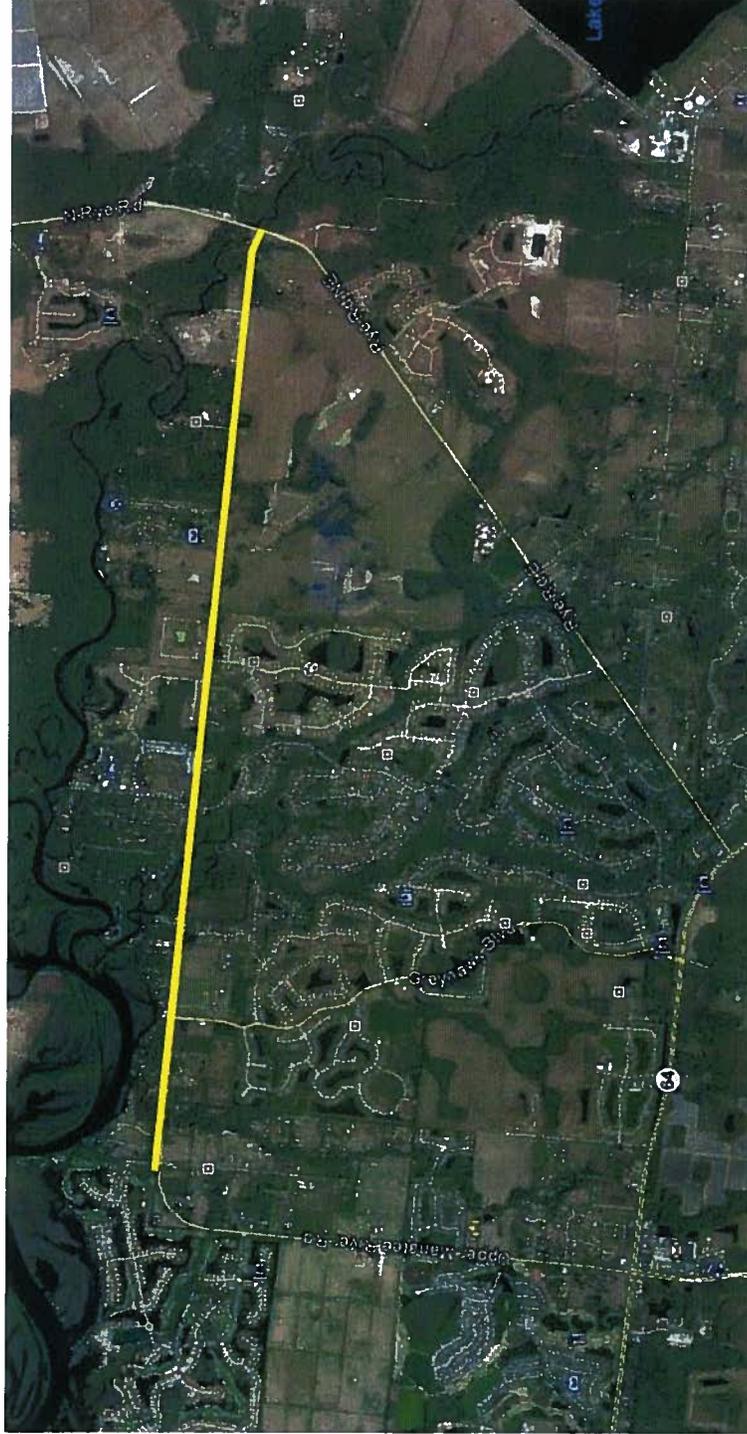
— Study Segment

● : Stop Controlled Location

⊗ : Traffic Signal Location



N.T.S.



## VII. EXISTING TRAFFIC CONDITIONS

Existing traffic conditions at the study area intersection were estimated based on a p.m. peak hour turning movement count collected within one year of the concurrency analysis. The count was adjusted to reflect peak-season conditions by applying the seasonal adjustment factor from the Florida DOT 2012 Florida Traffic Information (FTI) CD within Manatee County. A copy of the adjusted turning movement count for the study area intersection and the appropriate peak season factor are provided in Appendix 3. Figure 4 illustrates the existing traffic volumes at the intersection located within the study area.

The study area includes the following intersection which is unsignalized:

- Upper Manatee River Road & Rye Road

An intersection capacity analysis was conducted for this intersection under existing conditions during the p.m. peak hour. This capacity analyses was conducted based on the 2010 *Highway Capacity Manual* (HCM) and the supporting Highway Capacity Software (HCS 2010).

Using the HCS 2010 Two-Way Stop Control software, this intersection is operating within adopted LOS standards for existing conditions. Table 3 provides the results of the intersection capacity analysis for existing conditions. The HCS 2010 worksheet for this intersection is provided in Appendix 4.

**FIGURE # 4**

**Existing PM  
Peak Hour  
Traffic**

M/I Homes UMRR  
Property  
Manatee County,  
Florida

Project Number: 10338.130098  
Date: June 19, 2013

**LEGEND**

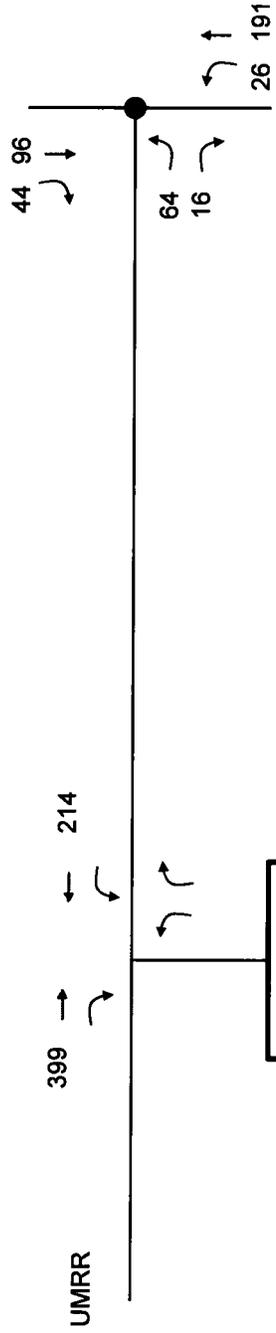
- : Stop Controlled Location
- ⊗ : Traffic Signal Location



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N.T.S.



**Table 3 – Intersection Capacity Analysis – Existing Conditions**

Intersection	LOS
Upper Manatee River Road & Rye Road	B/A (EB-LR/NB-L)

Roadway segment capacity analyses were conducted within the identified study area under existing conditions during the p.m. peak hour. Roadway segment volumes for the section of Upper Manatee River Road from the curve to Rye Road were derived using an average of the approaching and departing volumes from the PM peak hour TMCs at Upper Manatee River Road and SR 64, and Upper Manatee River Road and Rye Road. Table 4 reports the existing segment volumes and the corresponding LOS. The LOS thresholds are based on the FDOT 12/18/12 two-way service volumes for an urban area uninterrupted roadway, using an approximate 0.55 directional factor, which is the standard methodology for deriving two-way service volumes from directional service volumes.

**Table 4 – Roadway Segment Volumes and Levels of Service: Existing Conditions**

Roadway	From	To	Lanes	Existing PM Peak Hour Volumes			Peak Hour Service Volume			Existing LOS	
				NB/EB	SB/WB	Total	NB/EB	SB/WB	Total	NB/EB	SB/WB
Upper Manatee River Rd	Curve	Project Driveway	2LU	399	214	613	1,190	980	2,170	B	B
	Project Driveway	Rye Rd	2LU	399	214	613	1,190	980	2,170	B	B

As reported in Table 4, all roadway segments are operating at or better than the adopted LOS standards for existing p.m. peak hour conditions.

## **VIII. BACKGROUND VOLUMES**

For the section of Upper Manatee River Road within the study area, reserve trip amounts obtained from the 7/26/12 version of Manatee County's Concurrency Reservations (see Appendix 4), when applied to existing count data, result in a 39% growth in traffic over 3 years (13% per year). When adjusted using recent County methodology by a 0.75 factor, and then including a 3% per year factor for general through trip background growth, this results in an annual growth rate of 13% per year as well. Given the low existing volumes this is not an unreasonable estimate, and so the application of 75% of vested trips plus a 3% general through trip background growth rate was used for Upper Manatee River Road.

At the intersection of Upper Manatee River Road and Rye Road, an estimate of future year background traffic on Rye Road was derived in order to analyze that intersection under total traffic conditions. For Rye Road, the vested trips result in a 420% growth in traffic over the existing volumes. Using the County's 0.75 adjustment factor, the total growth is still 315%. Over three years, this would be a growth rate of 105% per year. This is not reasonable. If it is considered that these vested trips more likely represent growth over a longer term of 10 years, the annual growth rate is 31.5%. While this is still unlikely, it represents a fairly reasonable and conservative assumption for analyzing future conditions at the intersection. Therefore, for the Rye Road approaches, a 31.5% annual growth rate was used. The worksheet used to estimate future background traffic, and historic traffic data near the Project location, are provided in Appendix 5.

## **IX. FUTURE TRAFFIC CONDITIONS AND TOTAL VOLUMES**

To develop the future total traffic volumes used in this study, the future 2016 background trips were combined with the distributed project trips. The future total traffic volume is the sum of the non-project background trips and the project trips. Future total traffic volumes are illustrated in Figure 5. A detailed table of turning movement volumes

including the existing volumes, the future background volumes, and the project volumes for the intersections in the study area is provided in Appendix 6.

The p.m. peak hour capacity analyses for the study area for future 2016 conditions were performed based on the 2010 HCM and the supporting HCS 2010. The findings for the intersection capacity analyses are provided in Table 5.

**Table 5 – Intersection Capacity Analysis - Future Conditions**

<b>Intersection</b>	<b>LOS</b>
Upper Manatee River Road & Rye Road	C/A (EB-LR/NB-L)

As reported in Table 5 above, the intersection of Upper Manatee River Road and Rye Road is estimated to operate within adopted LOS standards under total traffic conditions.

An access management analysis was conducted at the proposed Project driveway on Upper Manatee River Road. A left-turn warrant analysis was prepared using NCHRP 457 methodology. This analysis shows that a westbound left-turn lane is warranted at the Project site under both advancing volume and left-turn volume warrants.

The FDOT Driveway Information Guide was used to assess the need for a southbound right-turn lane at the Project driveway. The lowest threshold for requiring a right-turn lane is 80 right-turns per hour. Since the maximum estimated number of peak hour right-turns into the site is 29, a right-turn lane is not required at the Project driveway. Copies of the NCHRP worksheet and FDOT Driveway Information Guide criteria are provided in Appendix 7.

# FIGURE # 5

## Future Total Traffic Volumes

M/I Homes UMRR  
Property  
Manatee County,  
Florida

Project Number: 10338.130098

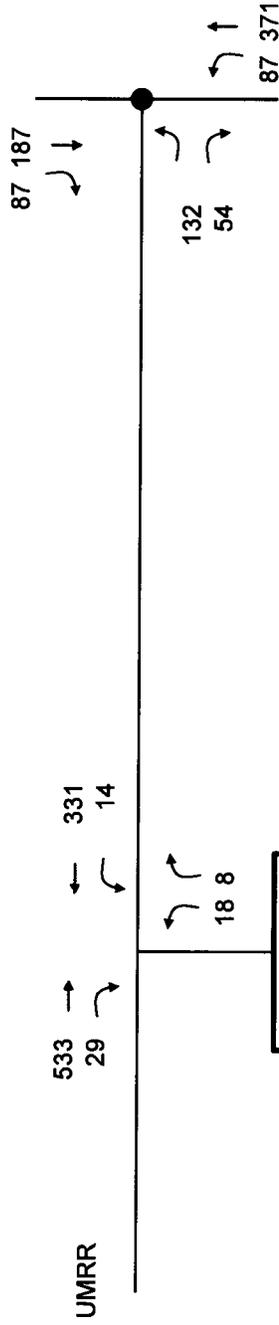
Date: June 19, 2013

### LEGEND

- : Stop Controlled Location
- ⊗ : Traffic Signal Location



N.T.S.



Rye Road

Project

87 187

132 54

87 371

331 14

18 8

The roadway segments within the study area were analyzed and compared to their respective service volumes found in the Manatee County Link Sheets. Future roadway volume calculations are provided in Appendix 5. The results of the analyses are summarized in Table 6.

**Table 6 – Roadway Segment Levels of Service**

Roadway	From	To	Lanes	Total Traffic Volumes (2016)			Peak Hour Service Volume			Future LOS (2016)	
				NB/EB	SB/WB	Total	NB/EB	SB/WB	Total	NB/EB	SB/WB
Upper Manatee River Rd	Curve	Project Driveway	2LU	562	349	911	1,190	980	2,170	C	C
	Project Driveway	Rye Rd	2LU	534	337	871	1,190	980	2,170	C	C

The above analysis shows that all roadway segments operate at or better than the accepted Level of Service standard under future 2016 total traffic conditions.

## X. CONCLUSION

The traffic analysis conducted for this project evaluated the potential impact that the Project, consisting of 63 single-family homes, would have on the roadways and intersections in the study area under future 2016 conditions. A capacity analysis was conducted for intersections and roadways within the study area. The analysis prepared is in response to Manatee County transportation concurrency requirements. Findings of the future-year capacity analyses demonstrate that, aside from a westbound left-turn lane into the site, no transportation improvements are required to accommodate the Project.

**APPENDIX 1**  
**CONCEPTUAL SITE PLAN**



**APPENDIX 2**  
**METHODOLOGY STATEMENT**

**Richard Stiles**

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**From:** steve.kollar@mymanatee.org  
**Sent:** Wednesday, June 12, 2013 7:45 AM  
**To:** Richard Stiles  
**Cc:** clarke.davis@mymanatee.org; bob.agrusa@mymanatee.org;  
jason.utley@mymanatee.org; susan.barfield@mymanatee.org  
**Subject:** M/I Homes UMRR Property Methodology

RE: M/I Homes UMRR Property – Traffic Analysis Methodology  
Petition # XXXXXXXX  
Consultant: Grimail Crawford Inc.

Mr. Stiles,

Based on the Traffic Impact Analysis (TIA) Methodology Statement, dated May 28, 2013, for the proposed M/I Homes UMRR Property, the Manatee County Public Works Department, Transportation Planning Division, approves the Methodology Statement. However, the TIA shall be submitted in conjunction with a formal application, Preliminary Site Plan (PSP) or Final Site Plan (FSP). Upon submittal of a formal application, three copies of the TIA along with a CD of all electronic files shall be submitted to the Building and Development Services Department, 1112 Manatee Ave W. 34205, 4th floor Reviewer On Call for required routing.

Please do not hesitate to contact me at the number below if you have any questions or require further assistance.

Sincerely,

Steve Kollar  
Transportation Systems Modeler  
AutoDesk Contract Administrator  
Manatee County Public Works Department  
Transportation Planning Division  
1022 26th Avenue East Bradenton Fl. 34208  
Phone (941) 748-4501 Ext. 7604  
[steve.kollar@mymanatee.org](mailto:steve.kollar@mymanatee.org)



*Your Comprehensive Engineering, Planning and GIS Solutions Consultants*

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June 5, 2013

Steve Kollar  
Manatee County Public Works Department  
Transportation Planning Division  
1022 26<sup>th</sup> Avenue East  
Bradenton, FL 34208

**SUBJECT: Methodology Statement for M/I Homes UMRR Property Traffic Impact Analysis – 10338.130098 (Revised)**

Dear Mr. Kollar:

This letter serves to summarize the methodology for the traffic analysis for the proposed M/I Homes UMRR Property development (Project). The methodology is consistent with Manatee County's TIA Requirements and Procedures.

### **Project Description**

The Project site is located in Manatee County, on Upper Manatee River Road north of SR 64 and west of Rye Road. The Project will have access to Upper Manatee River Road and 7<sup>th</sup> Avenue N.E. The Project is currently planned to consist of the following land uses:

- Single-family detached – 63 dwelling units

A conceptual site plan illustrating the land use and access configuration is included in Attachment 1.

### **Trip Generation**

Trip generation will be estimated based on the information contained in ITE's Trip Generation Manual, 9<sup>th</sup> Edition. The land use code applied to the use is reported below in Table 1, which indicates a preliminary trip generation estimate of 69 trips (43 in, 26 out) during the PM peak hour.



**grimail  
crawford  
inc.**

*Your Comprehensive Engineering, Planning and GIS Solutions Consultants*

**Table 1 – Preliminary Trip Generation Estimate**

Land Use	LUC	Size	Units	Daily Trips	Gross AM Peak Hour Trips		Gross PM Peak Hour Trips	
					In	Out	In	Out
Single-Family Detached Housing	210	63	d.u.	687	14	41	43	26
Gross Trips				687	14	41	43	26

Source : ITE, Trip Generation, 9th Ed., 2012

### **Traffic Data**

Existing traffic volumes will be determined by collecting intersection turning movement counts during the PM peak period (4:00 to 6:00 pm). These counts will be adjusted to reflect peak season conditions using the factors provided in the 2011 Florida Traffic Information DVD. Existing signal timing information will be obtained from Manatee County Public Works or measured in the field.

### **Study Area**

The study area will consist of all road segments on which Project traffic exceeds 5% or more of the two-way, generalized service volume. All major intersections on impacted segments will be studied as well. If the Project does not exceed the impact threshold on any roadway, then the first directionally accessed functionally classified concurrency regulated roadway(s) will be studied.

A study area table, showing the impact percentages on the surrounding roadways and all segments on which there is a 5% or greater impact, will be provided to verify the study area.

### **Project Trip Distribution and Assignment**

Project trips will be distributed using existing count data obtained from PM peak hour turning movement counts.

### **Background Traffic**

Background traffic (future traffic not including the Project) will be estimated based on a review of vested trips and historical growth rates. Using these data,



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a growth rate will be calculated to provide a reasonable estimate of background traffic over the next three years.

### **Analysis**

The traffic impact of the Project will be assessed using HCS 2010 software and will conform to Manatee County technical standards. For road segment analysis, the most recent generalized service volumes from FDOT's Q/LOS tables (12/18/12 version) will be used as an initial standard to evaluate directional volumes. If the generalized service volume is exceeded, a more detailed analysis will be conducted. Analysis will be performed for existing traffic conditions and future total traffic conditions (including the Project). The future analysis scenario will consider a three-year build out for the Project, corresponding to an analysis year of 2016.

An access management analysis will also be conducted to address vehicle ingress and egress at the project driveways.

### **Documentation**

The procedures and findings of the analysis will be documented in a comprehensive report for submittal to Manatee County. This will include two hard copies plus a CD containing a pdf of the report and all electronic files.

Should you have any questions, please do not hesitate to call me at 813-387-0084. Otherwise, I would request that you indicate your approval of this methodology by return letter or email. Your assistance in this matter is most appreciated.

Sincerely,

**GRIMAIL CRAWFORD, INC.**

A handwritten signature in blue ink that reads 'Richard Stiles'.

Richard Stiles, AICP  
Senior Associate

Attachment



## **APPENDIX 3**

### **EXISTING TURNING MOVEMENT COUNTS/PEAK SEASON FACTORS**

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Select File/Preference in the Main Scree  
Then Click the Titles Tab

Upper Manatee River Rd at  
Rye Rd  
County: Manatee  
Weather: Light Rain

File Name : UMRR\_RyeRd\_pm\_13  
Site Code : 00000000  
Start Date : 6/4/2013  
Page No : 1

Start Time	RYE RD From North						RYE RD From South						UPPER MANATEE RIVER RD From East						UPPER MANATEE RIVER RD From West							
	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	Int. Total
	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	
04:00 PM	0	0	13	10	23	0	4	49	0	53	0	0	0	0	0	0	9	0	0	1	10	0	0	0	0	86
04:15 PM	0	0	19	6	25	0	7	42	0	49	0	0	0	0	0	0	10	0	0	2	12	0	0	0	0	86
04:30 PM	0	0	26	11	37	0	6	33	0	39	0	0	0	0	0	0	8	0	0	0	8	0	0	0	0	84
04:45 PM	0	0	31	8	39	0	5	42	0	47	0	0	0	0	0	0	8	0	0	2	10	0	0	0	0	96
Total	0	0	89	35	124	0	22	166	0	188	0	0	0	0	0	0	35	0	0	5	40	0	0	0	0	352
05:00 PM	0	0	26	9	35	0	3	50	0	53	0	0	0	0	0	0	17	1	0	1	19	0	0	0	0	107
05:15 PM	0	0	21	15	36	0	7	48	0	55	0	0	0	0	0	0	20	0	0	8	28	0	0	0	0	119
05:30 PM	0	0	21	11	32	0	10	61	0	71	0	0	0	0	0	0	9	0	0	3	12	0	0	0	0	115
05:45 PM	0	0	28	9	37	0	6	32	0	38	0	0	0	0	0	0	18	0	0	4	22	0	0	0	0	97
Total	0	0	96	44	140	0	26	191	0	217	0	0	0	0	0	0	64	1	0	16	81	0	0	0	0	438
Grand Total	0	0	185	79	264	0	48	357	0	405	0	0	0	0	0	0	99	1	0	21	121	0	0	0	0	790
Approach %	0.0	0.0	70.1	29.9		0.0	11.9	88.1	0.0		0.0	0.0	0.0	0.0	0.0	0.0	81.8	0.8	0.0	17.4		0.0	0.0	0.0	0.0	
Total %	0.0	0.0	23.4	10.0	33.4	0.0	6.1	45.2	0.0	51.3	0.0	0.0	0.0	0.0	0.0	0.0	12.5	0.1	0.0	2.7	15.3	0.0	0.0	0.0	0.0	

Start Time	RYE RD From North						RYE RD From South						UPPER MANATEE RIVER RD From East						UPPER MANATEE RIVER RD From West							
	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	Int. Total
	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																										
Intersection 05:00 PM	0	0	96	44	140	0	26	191	0	217	0	0	0	0	0	0	64	1	0	16	81	0	0	0	0	438
Volume	0	0	68.6	31.4	36	0	12.0	88.0	0	55	0	0	0	0	0	0	79.0	1.2	0.0	19.8	28	0	0	0	119	
Percent	0.0	0.0	21	15	36	0.0	7	48	0	55	0	0	0	0	0	0	20	0	0	8	28	0	0	0	0.920	
05:15 Volume	0	0	21	15	36	0	7	48	0	55	0	0	0	0	0	0	20	0	0	8	28	0	0	0	119	
Peak Factor	0	0	0.28	0.09	0.26	0	0.07	0.48	0	0.48	0	0	0	0	0	0	0.20	0.01	0.00	0.19	0.28	0	0	0	0.920	
High Int. 05:45 PM	0	0	28	9	37	0	10	61	0	71	0	0	0	0	0	0	20	0	0	8	28	0	0	0	0.920	
Volume	0	0	28	9	37	0	10	61	0	71	0	0	0	0	0	0	20	0	0	8	28	0	0	0	0.920	
Peak Factor	0	0	0.28	0.09	0.26	0	0.07	0.48	0	0.48	0	0	0	0	0	0	0.20	0.01	0.00	0.19	0.28	0	0	0	0.920	

44/72 = 61% \* 32% = 20% From North  
26/72 = 39% \* 12% = 5% From South

Project distribution at Rye Road

44 + 26 = 72

UN

← 72

64 → 80  
16 →

~ 50%

Default Titles

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 Select File/Preference in the Main Scree  
 Then Click the Titles Tab

Upper Manatee River Rd at  
 Rye Rd  
 County: Manatee  
 Weather: Light Rain

File Name : UMRR\_RyeRd\_pm\_13  
 Site Code : 00000000  
 Start Date : 6/4/2013  
 Page No : 1

Groups Printed- Heavy Vehicles

Start Time	RYE RD From North					RYE RD From South					UPPER MANATEE RIVER RD From West					Int. Total	
	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total		
	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11		
04:00 PM	0	0	2	3	5	0	0	1	0	1	0	0	0	0	0	1	7
04:15 PM	0	0	3	0	3	0	0	3	0	3	0	0	0	0	0	0	6
04:30 PM	0	0	3	1	4	0	0	0	0	0	0	0	0	0	0	0	4
04:45 PM	0	0	2	0	2	0	1	0	0	1	0	0	0	0	0	0	3
<b>Total</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>4</b>	<b>14</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>20</b>	
05:00 PM	0	0	0	0	0	0	0	2	0	2	0	0	0	0	0	0	2
05:15 PM	0	0	0	1	1	0	1	1	0	2	0	0	0	0	0	0	3
05:30 PM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	1
05:45 PM	0	0	0	1	1	0	0	1	0	1	0	1	0	0	0	1	3
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>9</b>	
<b>Grand Total</b>	<b>0.0</b>	<b>0.0</b>	<b>10</b>	<b>7</b>	<b>17</b>	<b>0.0</b>	<b>2.0</b>	<b>8.0</b>	<b>0.0</b>	<b>10.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>2.0</b>	
<b>Approch % Total %</b>	<b>0.0</b>	<b>0.0</b>	<b>58.8</b>	<b>41.2</b>	<b>58.6</b>	<b>0.0</b>	<b>6.9</b>	<b>27.6</b>	<b>0.0</b>	<b>34.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>3.4</b>	<b>6.9</b>	

Start Time	RYE RD From North					RYE RD From South					UPPER MANATEE RIVER RD From West					Int. Total	
	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total		
	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11		
04:00 PM	0	0	10	4	14	0	0	1	0	1	0	0	0	0	0	0	20
04:15 PM	0	0	3	0	3	0	0	3	0	3	0	0	0	0	0	0	6
04:30 PM	0	0	3	1	4	0	0	0	0	0	0	0	0	0	0	0	4
04:45 PM	0	0	2	0	2	0	1	0	0	1	0	0	0	0	0	0	3
<b>Total</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>4</b>	<b>14</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>20</b>	
05:00 PM	0	0	0	0	0	0	0	2	0	2	0	0	0	0	0	0	2
05:15 PM	0	0	0	1	1	0	1	1	0	2	0	0	0	0	0	0	3
05:30 PM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	1
05:45 PM	0	0	0	1	1	0	0	1	0	1	0	1	0	0	0	1	3
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>9</b>	
<b>Grand Total</b>	<b>0.0</b>	<b>0.0</b>	<b>10</b>	<b>7</b>	<b>17</b>	<b>0.0</b>	<b>2.0</b>	<b>8.0</b>	<b>0.0</b>	<b>10.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>2.0</b>	
<b>Approch % Total %</b>	<b>0.0</b>	<b>0.0</b>	<b>58.8</b>	<b>41.2</b>	<b>58.6</b>	<b>0.0</b>	<b>6.9</b>	<b>27.6</b>	<b>0.0</b>	<b>34.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>3.4</b>	<b>6.9</b>	

2/b

2/b

Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1

Start Time	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	U-Turn	Left	Thru	Right	App. Total	Int. Total
04:00 PM	0	0	10	4	14	0	0	1	0	1	0	0	0	0	0	20
04:15 PM	0	0	3	0	3	0	0	3	0	3	0	0	0	0	0	6
04:30 PM	0	0	3	1	4	0	0	0	0	0	0	0	0	0	0	4
04:45 PM	0	0	2	0	2	0	1	0	0	1	0	0	0	0	0	3
<b>Total</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>4</b>	<b>14</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>20</b>
<b>Volume</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>4</b>	<b>14</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>20</b>
<b>Percent</b>	<b>0.0</b>	<b>0.0</b>	<b>71.4</b>	<b>28.6</b>	<b>58.6</b>	<b>0.0</b>	<b>20.0</b>	<b>80.0</b>	<b>0.0</b>	<b>34.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>3.4</b>	<b>6.9</b>
<b>Peak Factor</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0.714</b>
<b>High Int. Volume</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>7</b>
<b>Peak Factor</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0.714</b>



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Then Click the Titles Tab

SR 64 at  
Upper Manatee River Rd/Lakewood Ranch Bl  
County: Manatee  
Weather: Light Rain

File Name : SR64\_UMRR\_LWR\_pm\_13  
Site Code : 00000000  
Start Date : 6/4/2013  
Page No : 1

Groups Printed- Heavy Trucks

Start Time	UPPER MANATEE RIVER RD From North				LAKEWOOD RANCH BLVD From South				SR 64 From East				SR 64 From West				Int. Total										
	U- turn	Left	Thru	Right	U- turn	Left	Thru	Right	U- turn	Left	Thru	Right	U- turn	Left	Thru	Right		U- turn	Left	Thru	Right						
	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17		1.17	1.17	1.17	1.17	1.17					
04:00 PM	0	1	0	1	2	2	7	12	17	0	5	0	5	0	7	80	0	0	87	12	0	62	1	7	82	208	
04:15 PM	0	0	0	0	2	0	0	2	6	0	2	0	1	9	18	0	0	19	8	0	15	0	0	4	27	59	
04:30 PM	0	0	0	1	1	0	0	2	1	0	1	0	0	2	0	25	0	25	1	0	16	1	1	1	19	48	
04:45 PM	0	0	0	2	2	0	2	4	5	0	0	0	2	7	0	5	0	30	2	0	19	0	0	1	22	63	
Total	0	1	2	2	7	12	17	27	39	0	7	80	0	0	112	80	0	133	13	1	12	0	62	1	7	82	208
05:00 PM	0	0	0	0	0	0	0	0	5	0	0	0	0	7	11	1	1	12	4	0	11	0	0	0	2	17	36
05:15 PM	0	0	2	0	0	2	0	2	0	0	2	0	0	2	0	9	0	10	1	0	7	1	1	1	1	10	24
05:30 PM	0	0	0	0	1	1	0	2	2	0	0	0	0	2	0	16	0	16	0	0	8	0	0	0	1	9	28
05:45 PM	0	1	0	0	0	1	2	3	2	0	0	0	0	2	0	13	0	13	0	0	14	0	0	0	1	14	30
Total	0	1	2	0	1	4	9	13	19	0	4	0	0	13	0	49	1	51	5	0	40	1	4	0	4	50	118
Grand Total	0	2	4	2	8	16	26	40	65	0	9	0	5	40	7	129	1	138	17	0	102	2	11	132	326		
Approach %	0.0	12.5	25.0	12.5	50.0	12.5	65.0	12.3	65.0	0.0	22.5	0.0	12.5	12.3	5.1	93.5	0.7	42.3	12.9	0.0	77.3	1.5	8.3	40.5			
Total %	0.0	0.6	1.2	0.6	2.5	4.9	8.0	12.3	12.3	0.0	2.8	0.0	1.5	12.3	2.1	39.6	0.3	42.3	5.2	0.0	31.3	0.6	3.4	40.5			

Start Time	UPPER MANATEE RIVER RD From North				LAKEWOOD RANCH BLVD From South				SR 64 From East				SR 64 From West				Int. Total																
	U- turn	Left	Thru	Right	U- turn	Left	Thru	Right	U- turn	Left	Thru	Right	U- turn	Left	Thru	Right		U- turn	Left	Thru	Right												
	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17		1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1	0	1	2	2	7	12	17	27	39	0	4	0	0	13	0	49	1	51	5	0	40	1	4	50	118								
Intersection 04:00 PM	0	1	2	2	7	12	17	27	39	0	4	0	0	13	0	49	1	51	5	0	40	1	4	50	118								
Volume	0	1	2	2	7	12	17	27	39	0	4	0	0	13	0	49	1	51	5	0	40	1	4	50	118								
Percent	0.0	8.3	16.7	16.7	58.3	16.7	63.0	18.5	63.0	0.0	18.5	0.0	18.5	18.5	0.0	92.0	0.0	87	14.6	0.0	75.6	1.2	8.5	82	208								
04:30 Volume	0	0	2	1	1	4	5	7	7	0	0	0	2	7	0	25	0	30	2	0	19	0	1	22	63								
Peak Factor	0	1	0	1	2	4	6	9	9	0	2	0	1	9	0	25	0	30	8	0	15	0	4	27	0.825								
High Int. 04:00 PM	0	1	0	1	2	4	6	9	9	0	2	0	1	9	0	25	0	30	8	0	15	0	4	27	0.825								
Volume	0	1	0	1	2	4	6	9	9	0	2	0	1	9	0	25	0	30	8	0	15	0	4	27	0.825								
Peak Factor	0	1	0	1	2	4	6	9	9	0	2	0	1	9	0	25	0	30	8	0	15	0	4	27	0.825								

2012 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL  
 CATEGORY: 1340 OFF-SYSTEM EAST OF I-75

WEEK	DATES	SF	MOCF: 0.94 PSCF
1	01/01/2012 - 01/07/2012	0.99	1.05
2	01/08/2012 - 01/14/2012	0.98	1.04
3	01/15/2012 - 01/21/2012	0.98	1.04
4	01/22/2012 - 01/28/2012	0.97	1.03
5	01/29/2012 - 02/04/2012	0.96	1.02
6	02/05/2012 - 02/11/2012	0.96	1.02
* 7	02/12/2012 - 02/18/2012	0.95	1.01
* 8	02/19/2012 - 02/25/2012	0.95	1.01
* 9	02/26/2012 - 03/03/2012	0.94	1.00
*10	03/04/2012 - 03/10/2012	0.94	1.00
*11	03/11/2012 - 03/17/2012	0.94	1.00
*12	03/18/2012 - 03/24/2012	0.94	1.00
*13	03/25/2012 - 03/31/2012	0.94	1.00
*14	04/01/2012 - 04/07/2012	0.94	1.00
*15	04/08/2012 - 04/14/2012	0.94	1.00
*16	04/15/2012 - 04/21/2012	0.94	1.00
*17	04/22/2012 - 04/28/2012	0.95	1.01
*18	04/29/2012 - 05/05/2012	0.95	1.01
*19	05/06/2012 - 05/12/2012	0.96	1.02
20	05/13/2012 - 05/19/2012	0.97	1.03
21	05/20/2012 - 05/26/2012	1.00	1.06
22	05/27/2012 - 06/02/2012	1.02	1.08
23	06/03/2012 - 06/09/2012	1.05	1.11
24	06/10/2012 - 06/16/2012	1.08	1.14
25	06/17/2012 - 06/23/2012	1.09	1.15
26	06/24/2012 - 06/30/2012	1.10	1.16
27	07/01/2012 - 07/07/2012	1.11	1.18
28	07/08/2012 - 07/14/2012	1.13	1.20
29	07/15/2012 - 07/21/2012	1.14	1.21
30	07/22/2012 - 07/28/2012	1.13	1.20
31	07/29/2012 - 08/04/2012	1.11	1.18
32	08/05/2012 - 08/11/2012	1.10	1.16
33	08/12/2012 - 08/18/2012	1.09	1.15
34	08/19/2012 - 08/25/2012	1.08	1.14
35	08/26/2012 - 09/01/2012	1.07	1.13
36	09/02/2012 - 09/08/2012	1.05	1.11
37	09/09/2012 - 09/15/2012	1.04	1.10
38	09/16/2012 - 09/22/2012	1.03	1.09
39	09/23/2012 - 09/29/2012	1.01	1.07
40	09/30/2012 - 10/06/2012	1.00	1.06
41	10/07/2012 - 10/13/2012	0.98	1.04
42	10/14/2012 - 10/20/2012	0.97	1.03
43	10/21/2012 - 10/27/2012	0.97	1.03
44	10/28/2012 - 11/03/2012	0.97	1.03
45	11/04/2012 - 11/10/2012	0.98	1.04
46	11/11/2012 - 11/17/2012	0.98	1.04
47	11/18/2012 - 11/24/2012	0.98	1.04
48	11/25/2012 - 12/01/2012	0.98	1.04
49	12/02/2012 - 12/08/2012	0.98	1.04
50	12/09/2012 - 12/15/2012	0.99	1.05
51	12/16/2012 - 12/22/2012	0.99	1.05
52	12/23/2012 - 12/29/2012	0.98	1.04
53	12/30/2012 - 12/31/2012	0.98	1.04

\* PEAK SEASON

08-FEB-2013 12:29:07

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2012 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL  
 CATEGORY: 1300 MANATEE COUNTYWIDE

WEEK	DATES	SF	MOCF: 0.90 PSCF
1	01/01/2012 - 01/07/2012	1.00	1.11
2	01/08/2012 - 01/14/2012	0.99	1.10
3	01/15/2012 - 01/21/2012	0.98	1.08
4	01/22/2012 - 01/28/2012	0.96	1.06
* 5	01/29/2012 - 02/04/2012	0.94	1.04
* 6	02/05/2012 - 02/11/2012	0.92	1.02
* 7	02/12/2012 - 02/18/2012	0.90	1.00
* 8	02/19/2012 - 02/25/2012	0.89	0.98
* 9	02/26/2012 - 03/03/2012	0.89	0.98
*10	03/04/2012 - 03/10/2012	0.88	0.97
*11	03/11/2012 - 03/17/2012	0.87	0.96
*12	03/18/2012 - 03/24/2012	0.88	0.97
*13	03/25/2012 - 03/31/2012	0.89	0.98
*14	04/01/2012 - 04/07/2012	0.90	1.00
*15	04/08/2012 - 04/14/2012	0.92	1.02
*16	04/15/2012 - 04/21/2012	0.93	1.03
*17	04/22/2012 - 04/28/2012	0.94	1.04
18	04/29/2012 - 05/05/2012	0.96	1.06
19	05/06/2012 - 05/12/2012	0.97	1.07
20	05/13/2012 - 05/19/2012	0.99	1.10
21	05/20/2012 - 05/26/2012	1.01	1.12
22	05/27/2012 - 06/02/2012	1.04	1.15
23	06/03/2012 - 06/09/2012	1.06	1.17
24	06/10/2012 - 06/16/2012	1.08	1.19
25	06/17/2012 - 06/23/2012	1.08	1.19
26	06/24/2012 - 06/30/2012	1.08	1.19
27	07/01/2012 - 07/07/2012	1.08	1.19
28	07/08/2012 - 07/14/2012	1.08	1.19
29	07/15/2012 - 07/21/2012	1.09	1.21
30	07/22/2012 - 07/28/2012	1.10	1.22
31	07/29/2012 - 08/04/2012	1.11	1.23
32	08/05/2012 - 08/11/2012	1.12	1.24
33	08/12/2012 - 08/18/2012	1.13	1.25
34	08/19/2012 - 08/25/2012	1.13	1.25
35	08/26/2012 - 09/01/2012	1.13	1.25
36	09/02/2012 - 09/08/2012	1.13	1.25
37	09/09/2012 - 09/15/2012	1.13	1.25
38	09/16/2012 - 09/22/2012	1.11	1.23
39	09/23/2012 - 09/29/2012	1.09	1.21
40	09/30/2012 - 10/06/2012	1.07	1.18
41	10/07/2012 - 10/13/2012	1.05	1.16
42	10/14/2012 - 10/20/2012	1.02	1.13
43	10/21/2012 - 10/27/2012	1.02	1.13
44	10/28/2012 - 11/03/2012	1.01	1.12
45	11/04/2012 - 11/10/2012	1.01	1.12
46	11/11/2012 - 11/17/2012	1.00	1.11
47	11/18/2012 - 11/24/2012	1.00	1.11
48	11/25/2012 - 12/01/2012	1.00	1.11
49	12/02/2012 - 12/08/2012	1.00	1.11
50	12/09/2012 - 12/15/2012	1.00	1.11
51	12/16/2012 - 12/22/2012	0.99	1.10
52	12/23/2012 - 12/29/2012	0.98	1.08
53	12/30/2012 - 12/31/2012	0.98	1.08

\* PEAK SEASON

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## **APPENDIX 4**

### **EXISTING INTERSECTION HCS WORKSHEETS**

TWO-WAY STOP CONTROL SUMMARY							
General Information				Site Information			
Analyst	RAS			Intersection	UMRR/Rye		
Agency/Co.				Jurisdiction	Manatee		
Date Performed	6/17/2013			Analysis Year	Existing Traffic		
Analysis Time Period	PM Peak						
Project Description <i>MI UMRR</i>							
East/West Street: <i>UMRR</i>				North/South Street: <i>Rye Road</i>			
Intersection Orientation: <i>North-South</i>				Study Period (hrs): <i>0.25</i>			
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	26	191			96	44	
Peak-Hour Factor, PHF	0.92	0.92	1.00	1.00	0.92	0.92	
Hourly Flow Rate, HFR (veh/h)	28	207	0	0	104	47	
Percent Heavy Vehicles	2	--	--	0	--	--	
Median Type	<i>Undivided</i>						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration	<i>LT</i>					<i>TR</i>	
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	64		16				
Peak-Hour Factor, PHF	0.92	1.00	0.92	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	69	0	17	0	0	0	
Percent Heavy Vehicles	2	0	2	0	0	0	
Percent Grade (%)		0			0		
Flared Approach		<i>N</i>			<i>N</i>		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	0	0	0	
Configuration		<i>LR</i>					
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11
Lane Configuration	<i>LT</i>						<i>LR</i>
v (veh/h)	28						86
C (m) (veh/h)	1430						645
v/c	0.02						0.13
95% queue length	0.06						0.46
Control Delay (s/veh)	7.6						11.4
LOS	<i>A</i>						<i>B</i>
Approach Delay (s/veh)	--	--					11.4
Approach LOS	--	--					<i>B</i>

**APPENDIX 5**

**BACKGROUND TRAFFIC DETERMINATION**

M/I Homes UMRR Property  
Background and Total Traffic

Roadway	From	To	Lanes	Existing PM Peak Hour Volumes			Growth Rate	Reserved Trips			PM Peak Hour Project Trips			Total Traffic Volumes (2016)		
				NB/EB	SB/WB	Total		NB/EB	SB/WB	Total	NB/EB	SB/WB	Total	NB/EB	SB/WB	Total
Upper Manatee River Rd	Curve	Project Driveway	2LU	399	214	613	3.00%	98	98	196	29	18	47	562	349	911
	Project Driveway	Rye Rd	2LU	399	214	613	3.00%	91	90	181	8	14	22	534	337	871

**APPENDIX 6**

**DETAILED TABULATED  
TURNING MOVEMENT VOLUMES AND FUTURE  
ROADWAY VOLUMES**

TURNING MOVEMENT VOLUME CALCULATIONS  
M/I Homes UMRR Property

P.M. Peak Hour	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
<b>Existing Volumes</b>	<b>EXISTING (2013)</b>											
% Turning Movements PHF	64	0	16	0	0	0	26	191	0	0	96	44
	80.0%	0.0%	20.0%				12.0%	88.0%	0.0%	0.0%	68.6%	31.4%
% Heavy Vehicles												
<b>Background Traffic</b>	<b>BACKGROUND (2016)</b>											
Growth Rate	3.00%			3.00%				31.50%			31.50%	
Background Growth	6	0	1	0	0	0	0	180	0	0	91	0
Reserved Trips	57		34				56					34
Total Background	127	0	51	0	0	0	82	371	0	0	187	78
<b>Project Traffic</b>	<b>PROJECT</b>											
	5		3				5					9
<b>Total Traffic</b>	<b>TOTAL (2016)</b>											
	132	0	54	0	0	0	87	371	0	0	187	87

**APPENDIX 7**

**FUTURE TOTAL VOLUME  
HCS INTERSECTION WORKSHEET  
NCHRP WORKSHEET/FDOT DRIVEWAY  
INFORMATION GUIDE**

TWO-WAY STOP CONTROL SUMMARY							
General Information				Site Information			
Analyst	RAS			Intersection	UMRR/Rye		
Agency/Co.				Jurisdiction	Manatee		
Date Performed	6/17/2013			Analysis Year	Total Traffic		
Analysis Time Period	PM Peak						
Project Description							
East/West Street: UMRR				North/South Street: Rye Road			
Intersection Orientation: North-South				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	87	371			187	87	
Peak-Hour Factor, PHF	0.95	0.95	1.00	1.00	0.95	0.95	
Hourly Flow Rate, HFR (veh/h)	91	390	0	0	196	91	
Percent Heavy Vehicles	2	--	--	0	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration	LT						TR
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	132		54				
Peak-Hour Factor, PHF	0.95	1.00	0.95	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	138	0	56	0	0	0	
Percent Heavy Vehicles	2	0	2	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	0	0	0	
Configuration	LR						
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11 12
Lane Configuration	LT					LR	
v (veh/h)	91						194
C (m) (veh/h)	1275						389
v/c	0.07						0.50
95% queue length	0.23						2.69
Control Delay (s/veh)	8.0						23.1
LOS	A					C	
Approach Delay (s/veh)	--	--				23.1	
Approach LOS	--	--				C	

Table 10  
GUIDELINES FOR LEFT-TURN LANE AT UNSIGNALIZED INTERSECTION

Two-Lane Roadway Opposing Volume (vph)	Left-turn Volume - vph										Operating Speed = 40 mph			Speed Limit = 45 mph			Design Speed = 50 mph								
	0.50	0.75	1.00	1.25	1.50	1.75	2.0	2.5	3.0	3.5	4.0	4.5	5.0	5.5	6.0	6.5	7.0	8.0	9.0	10	15	20	30	40	50
50	10	12	14	16	17	19	20	22	25	27	29	30	32	34	35	37	38	41	44	47	59	70	92	115	140
100	9	11	12	14	15	16	18	20	22	24	25	27	28	30	31	33	34	36	39	41	52	62	81	101	124
150	8	10	11	12	14	15	16	18	19	21	23	24	25	27	28	29	30	33	35	37	46	55	72	90	110
200	7	9	10	11	12	13	14	16	18	19	21	22	23	24	25	27	28	30	32	34	42	50	66	82	101
250	6	8	9	10	11	12	13	15	16	17	18	20	21	22	23	24	25	27	28	30	38	45	59	74	91
300	6	7	8	9	10	11	12	13	15	16	17	18	19	20	21	22	23	25	26	28	35	42	55	69	84
350	5	7	8	9	9	10	11	12	13	15	16	17	18	19	20	21	23	24	26	28	32	38	50	63	77
400	5	6	7	8	9	9	10	11	12	13	14	15	16	17	18	19	21	22	24	26	30	35	46	58	71
450	5	6	7	7	8	9	9	10	11	12	13	14	15	16	16	17	18	19	20	22	27	32	42	53	65
500	4	5	6	7	7	8	8	9	10	11	12	13	14	15	15	16	17	19	20	25	30	39	48	59	
550	4	5	6	6	7	7	8	9	10	10	11	12	13	14	14	15	16	17	18	23	27	36	45	55	
600	4	5	5	6	6	7	7	8	9	10	11	12	13	13	14	14	15	16	17	22	26	34	42	52	
650	3	4	5	5	6	6	7	8	8	9	10	10	11	12	12	13	14	15	16	20	24	31	39	48	
700	3	4	5	5	6	6	6	7	8	9	9	10	10	11	11	12	13	14	15	19	23	30	37	45	
750	3	4	4	5	5	6	6	7	7	8	8	9	10	10	10	11	12	13	14	17	21	27	34	41	
800	3	3	4	4	5	5	5	6	7	7	8	8	9	9	10	10	11	12	13	16	19	25	31	38	
850	3	3	4	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11	12	15	18	23	29	35	
900	2	3	3	4	4	4	5	5	6	6	7	7	8	8	8	9	9	10	11	14	17	22	27	33	
950	2	3	3	3	4	4	4	5	5	6	6	7	7	8	8	8	9	10	10	13	15	20	25	31	
1000	2	2	3	3	3	4	4	4	5	5	6	6	7	7	7	8	8	9	10	12	14	19	23	29	
1050	2	2	3	3	3	3	4	4	4	5	5	6	6	6	6	7	7	8	9	11	13	17	22	26	
1100	2	2	3	3	3	3	3	4	4	4	5	5	6	6	6	6	7	7	8	10	12	15	19	23	
1150	1	2	2	2	3	3	3	3	4	4	4	5	5	5	5	6	6	7	7	9	10	14	17	21	
1200	1	1	2	2	2	2	2	3	3	3	4	4	4	4	4	5	5	5	6	7	9	11	14	17	
1250	1	1	1	2	2	2	2	2	3	3	3	3	4	4	4	4	4	4	5	6	7	10	12	15	
1300	1	1	1	1	2	2	2	2	2	2	3	3	3	4	4	4	4	4	5	6	7	8	10	13	

Table 9  
GUIDELINES FOR LEFT-TURN LANE AT UNSIGNALIZED INTERSECTION

Two-Lane Roadway Opposing Volume (vph)	Advancing Volume - vph																Operating Speed = 40 mph Speed Limit = 45 mph Design Speed = 50 mph								
	Left-turn - percent																								
	4.0	4.5	5.0	5.5	6.0	6.5	7.0	8.0	9.0	10	15	20	30	40	50										
50	1989	1626	1410	1263	1154	1070	1002	899	822	763	716	677	644	615	591	569	550	517	490	468	393	351	306	286	281
100	1752	1432	1242	1112	1016	942	883	791	724	672	631	596	567	542	520	501	484	455	432	412	366	309	270	252	247
150	1565	1279	1109	993	908	842	788	707	647	601	563	532	506	484	465	448	433	407	386	368	309	276	241	225	221
200	1429	1169	1013	907	829	769	720	646	591	549	514	486	463	442	425	409	395	372	352	336	282	252	220	206	202
250	1284	1050	910	815	745	691	647	580	531	493	462	437	416	397	381	367	355	334	317	302	254	226	198	185	181
300	1191	973	844	756	691	641	600	538	492	457	429	405	385	368	354	341	329	310	293	280	235	210	183	171	168
350	1086	888	770	689	630	584	547	491	449	417	391	369	351	336	322	311	300	282	268	255	214	191	167	156	153
400	1000	818	709	635	581	538	504	452	414	384	360	340	324	310	297	286	277	260	247	235	198	176	154	144	141
450	918	751	651	583	533	494	463	415	380	352	330	312	297	284	273	263	254	239	226	216	181	162	141	132	130
500	838	685	594	532	486	451	422	379	347	322	302	285	271	259	249	240	232	218	207	197	166	148	129	121	118
550	778	636	551	494	451	418	392	351	321	298	280	265	252	241	231	222	215	202	192	183	154	137	120	112	110
600	736	601	522	467	427	396	371	332	304	282	265	250	238	228	219	210	203	191	181	173	145	130	113	106	104
650	679	555	481	431	394	365	342	307	281	261	244	231	220	210	202	194	188	177	167	160	134	120	105	98	96
700	641	524	454	407	372	345	323	290	265	246	231	218	207	198	190	183	177	167	158	151	127	113	99	92	90
750	587	480	416	373	341	316	296	265	243	225	211	200	190	182	174	168	162	153	145	138	116	104	90	85	83
800	535	437	379	340	310	288	269	242	221	205	193	182	173	165	159	153	148	139	132	126	106	94	82	77	75
850	501	410	355	318	291	270	252	226	207	192	180	170	162	155	149	143	139	130	123	118	99	88	77	72	71
900	468	383	332	297	272	252	236	212	194	180	169	159	152	145	139	134	129	122	115	110	93	83	72	67	66
950	437	357	310	277	253	235	220	197	181	168	157	149	141	135	130	125	121	114	108	103	86	77	67	63	62
1000	406	332	288	258	235	218	204	183	168	156	146	138	131	126	120	116	112	105	100	95	80	72	62	58	57
1050	376	307	266	238	218	202	189	170	155	144	135	128	122	116	112	107	104	98	93	88	74	66	58	54	53
1100	326	267	231	207	189	175	164	147	135	125	117	111	106	101	97	93	90	85	80	77	64	58	50	47	46
1150	296	242	210	188	172	159	149	134	123	114	107	101	96	92	88	85	82	77	73	70	59	52	46	43	42
1200	243	199	172	154	141	131	123	110	101	93	88	83	79	75	72	70	67	63	60	57	48	43	37	35	34
1250	211	173	150	134	123	114	106	95	87	81	76	72	68	65	63	60	58	55	52	50	42	37	33	30	30
1300	178	145	126	113	103	96	90	80	74	68	64	61	58	55	53	51	49	46	44	42	35	31	27	26	25

## 7.2

### WHEN SHOULD WE BUILD RIGHT TURN LANES?

**Exhibit 44**  
Recommended Guidelines  
for Exclusive Right Turn  
Lanes to Unsignalized\*  
Driveway

Roadway Posted Speed Limit	Number of Right Turns Per Hour
45 mph or less	<b>80-125</b> (see note 1)
Over 45 mph	<b>35-55</b> (see note 2)

\*May not be appropriate for signalized locations where signal phasing plays an important role in determining the need for right turn lanes.

1. The lower threshold of 80 right turn vehicles per hour would be most used for higher volume (greater than 600 vehicles per hour, per lane in one direction on the major roadway) or two-lane roads where lateral movement is restricted. The 125 right turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with a large entry radius (50 feet or greater).
2. The lower threshold of 35 right turn vehicles per hour would be most appropriately used on higher volume two-lane roadways where lateral movement is restricted. The 55 right turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with large entry radius (50 feet or greater).

**Note:** A posted speed limit of 45 mph may be used with these thresholds if the operating speeds are known to be over 45 mph during the time of peak right turn demand.

**Note on Traffic projections:** Projecting turning volumes is, at best, a knowledgeable estimate. Keep this in mind especially if the projections of right turns are close to meeting the guidelines. In that case, consider requiring the turn lane.

Copy of Newspaper Advertising

Bradenton Herald

Sarasota Herald Tribune

**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, November 14, 2013 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 matters:

**PDR-13-31(Z)(P) - M/I HOMES OF TAMPA, LLC/BROOKSIDE ESTATES (FKA M/I HOMES-UMRR/LEGLER-FLYNN REZONE) (DTS #20130263)**

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 40.19 ± acres located approximately two miles north of SR 64 on the south side of Upper Manatee River Road, and one mile east of the curve at 13010 Upper Manatee River Road, Parrish, from A (General Agriculture) to the PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 63 residential lots for 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.

**PDR-13-32(Z)(P) - DAVID & MELANIE PARRISH REZONE/WOODLANDS TRACE SUBDIVISION (fka PROSPECT ROAD - DTS 20130279)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 29.34 acres on the southwest corner of 63rd Avenue East and Tuttle Avenue, and east side of Prospect Road, commencing approximately 700 feet south of 63rd Avenue East (South County), from the A-1 and A-1/WPE (Suburban Agriculture -

One dwelling unit per acre/Evers Reservoir Watershed Protection Overlay District) to the PDR (Planned Development Residential) zoning district, not retaining the WPE Overlay District; approving a Preliminary Site Plan for 53 single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

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, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: [planning.agenda@mymanatee.org](mailto: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  
10/30/2013

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Manatee River Road, and one mile east of the curve at 13010 Upper Manatee River Road, Parrish, from A (General Agriculture) to the PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 63 residential lots for 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.

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Manatee County Building and Development Services Department  
Manatee County, Florida

# PRELIMINARY SITE PLAN FOR BROOKSIDE ESTATES

## 63 LOT, SINGLE FAMILY RESIDENTIAL SUBDIVISION LOCATED IN: SECTION 21, TOWNSHIP 34 SOUTH, RANGE 19 EAST

### GENERAL NOTES:

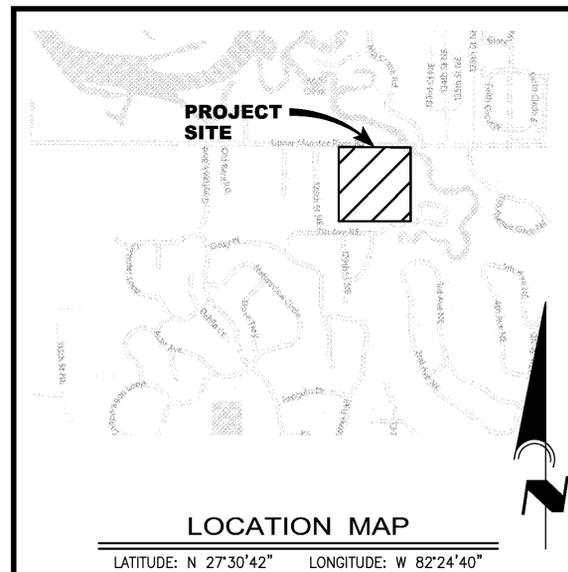
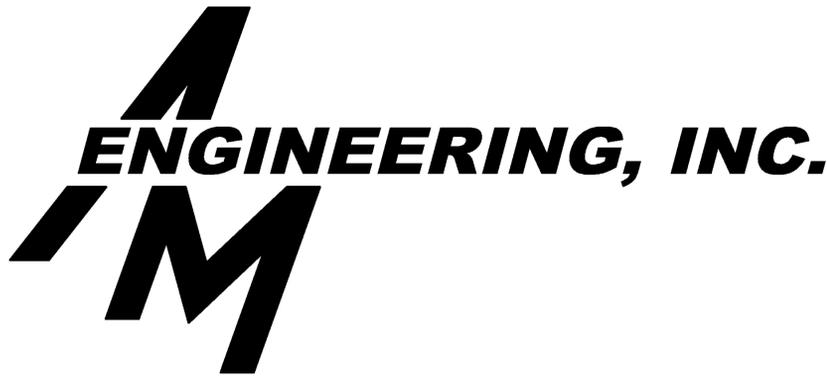
- 1. OWNERSHIP AND UNIFIED CONTROL STATEMENT:**  
A. THE PROPOSED PROJECT IS OWNED BY: M/I HOMES OF TAMPA, LLC
- 2. CHARACTER AND INTENDED USE STATEMENT:**  
THE PROPOSED USE IS A SINGLE FAMILY RESIDENTIAL SUBDIVISION.
- 3. MAINTENANCE OF COMMON FACILITIES STATEMENT:**  
THE PROJECT'S HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF THE ONSITE STORMWATER MANAGEMENT SYSTEM AND COMMON OPEN SPACE. MANATEE COUNTY WILL OWN AND MAINTAIN THE SEWER, FORCEMAIN AND POTABLE WATER SYSTEM. MANATEE COUNTY WILL BE RESPONSIBLE TO MAINTAIN PUBLIC ROADS THAT ARE DEDICATED AS PUBLIC RIGHT OF WAY.
- 4. EXISTING LAND USE:**  
VACANT
- 5. ZONING/PROPERTY ID:**  
EX. ZONING: A (SUBURBAN AGRICULTURE) PID #555800002  
FUTURE LAND USE: UF-3  
PROPOSED ZONING: PDR
- 6. FLOOD ZONE:**  
THE SITE LIES WITHIN THE BOUNDARIES OF FLOOD ZONES "X" & "AE" (ELEV. 12.1)  
PER FIRM MAP #120153 0220 C, REVISED JULY 15, 1992, PANEL 220 OF 550.
- 7. SITE COVERAGES:**  
TOTAL ACREAGE: 40.19 ACRES  
REQUIRED OPEN SPACE = 25% = 40.19 x 0.25 = 10.05 ACRES  
ONLY 75% OF REQUIRED OPEN SPACE ALLOWED AS WATER BODIES:  
10.05 x 0.75 = 7.54 ACRES  
PROPOSED OPEN SPACE AREA: 12.80± ACRES TOTAL (31.85% > 25% REQUIRED)  
OPEN SPACE TRACT 200: 1.95 AC  
OPEN SPACE TRACT 201: 0.30 AC  
OPEN SPACE TRACT 202: 0.23 AC  
TRACT 204: 0.50 AC (CONSERVATION EASEMENT)  
TRACT 205: 0.90 AC (CONSERVATION EASEMENT)  
TOTAL: 4.37 AC (14.14% = 4.37/12.8)  
TRACT 300: CONSERVATION EASEMENT 8.43 AC (65.86% = 8.43/12.9)  
WETLANDS: 5.67 AC (67.26% = 5.67/8.43 OF CONS. EASE)  
UPLANDS/WILD BUFFERS: 2.78 AC (32.74% = 2.78/8.43 CONS. EASE)  
PROPOSED LOTS: 11.86 AC (29.01%)  
PROPOSED RIGHT-OF-WAY TRACT 100: 2.74 AC (6.82%)  
PROPOSED STORMWATER TRACT 300: 12.90 AC (32.10%)  
PROPOSED LIFT STATION TRACT 400: 0.09 AC (0.22%)  
GROSS DENSITY: 63 UNITS/38,90± ACRES = 1.58 DWELLING UNITS PER ACRE  
38.90 ACRES USED IN DENSITY TO LESS OUT WETLAND AREA THAT EXCEEDS 20% OF TOTAL AREA (40.19 x 0.20 = 8.04; 8.43 WILD - 8.04 = 0.39; 40.19 - 0.39 = 38.90 AC)  
NET DENSITY: 63 UNITS/31.76± ACRES = 1.98 DWELLING UNITS PER ACRE  
40.19 AC - 8.43 AC (CONSERVATION EASEMENT) = 31.76 AC
- 8. BUILDING HEIGHT REQUIREMENTS:**  
MAXIMUM ALLOWABLE: 35'  
RESIDENCES SHALL BE SINGLE FAMILY HOMES.
- 9. SETBACKS:**  
REQUIRED:  
FRONT = 23'  
SIDE = 7.5'  
REAR = 12' POOL SETBACK=5'  
A 15' SETBACK IS REQUIRED FROM THE UPLAND EDGE OF THE WETLAND BUFFER TO THE ADJACENT STRUCTURE.
- 10. CONSTRUCTION NOTES:**  
A. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MANATEE COUNTY LAND DEVELOPMENT REGULATIONS, LATEST EDITION.  
B. THE PROJECT SHALL BE CONSTRUCTED IN ONE PHASE.  
C. A MINIMUM OF 2 FEET OF SOD SHALL BE PLACED AT THE BACK OF ALL CURBS AND PAVEMENT EDGES, EXCEPT LANDSCAPE AREAS. ALL SWALES, BERMS AND RETENTION AREAS SHALL BE SODDED TO THE NORMAL WATER LEVEL.  
D. ALL TACTILE SURFACES ON CURB CUT RAMPS SHALL CONFORM TO FDOT INDEX NO. 304. w/ TRUNCATED DOMED DETECTABLE WARNINGS.  
E. STREETS SHALL BE CONSTRUCTED TO MANATEE COUNTY STANDARDS AND WILL BE PUBLIC AND MAINTAINED BY MANATEE COUNTY. STREETS TO BE DEDICATED AS PUBLIC RIGHT OF WAY WILL BE CONSTRUCTED TO MANATEE COUNTY STANDARDS AND MAINTAINED BY MANATEE COUNTY.  
F. ALL PROPOSED BUILDING FINISHED FLOOR ELEVATIONS ARE TO BE A MINIMUM OF 21" ABOVE THE CROWN OF THE ADJACENT ROADWAY.  
G. THERE ARE NO KNOWN FOUNDATIONS, MOUNDS OR MIDDEN AREAS OF HISTORIC ORIGIN, EXISTING EASEMENTS, OR PLATTED STREETS LOCATED ON THE SITE.  
H. STREET LIGHTS MAY BE INSTALLED AT THE DEVELOPER'S OPTION. SIGNS MAY BE PROPOSED TO BE AT ENTRANCE OF SUBDIVISION.  
I. ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE RESTORED TO EXISTING CONDITION, OR BETTER, TO THE SATISFACTION OF THE OWNER.  
J. ALL FACILITIES CONTAINED HEREIN HAVE BEEN DESIGNED AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE "FLORIDA ACCESSIBILITY CODE", FAC 1997 EDITION, (FLORIDA STATUTES, SECTION 553.501 - 553.513).  
K. ALL DRAINAGE CULVERT JOINTS SHALL BE WRAPPED PER FDOT INDEX NO. 280.  
L. ALL DRAINAGE STRUCTURES SHALL HAVE POURED CONCRETE INVERTS WHICH PRECLUDE PONDED WATER.  
M. ALL ROADWAY AND DRAINAGE RELATED STRUCTURES SHALL BE 3,000 PSI CONCRETE.  
N. USE OF PAVER BLOCK EITHER IN TRAVELWAYS OR WALKWAYS SHALL CONFORM TO FDOT SPECIFICATION #526
- 11. STORMWATER MANAGEMENT:**  
THE STORMWATER MANAGEMENT SYSTEM SHALL BE OWNED AND MAINTAINED BY THE PROJECT'S HOMEOWNERS ASSOCIATION. THERE ARE WETLANDS UNDER THE JURISDICTION OF SWFWMD AND FDPD WITHIN THE BOUNDARIES OF THIS PLAN. NO WETLAND IMPACTS ARE ANTICIPATED WITH THIS PROJECT.
- 12. REFUSE AND RECYCLABLE NOTE:**  
SOLID WASTE SERVICES WILL BE INDIVIDUAL GARBAGE CANS AND WILL BE PROVIDED BY THE COUNTY CONTRACTED WASTE HAULER VIA CURB SIDE PICK-UP.
- 13. UTILITY NOTES:**  
A. THE CONTRACTOR SHALL CONTACT "SUNSHINE STATE" ONE CALL, FPL AND ALL OTHER UTILITY COMPANIES PRIOR TO ANY WORK ONSITE OR OFFSITE SO THAT THE EXACT LOCATION OF ALL UTILITIES CAN BE DETERMINED.  
B. WATER SERVICE PROVIDED BY MANATEE COUNTY.  
C. SANITARY SEWER SERVICE PROVIDED BY MANATEE COUNTY.  
ESTIMATE OF WASTEWATER FLOW:  
63 UNITS x 285 GPD/UNIT = 17,955 OPD  
PHONE SERVICE TO BE PROVIDED BY VERIZON.  
POWER TO BE PROVIDED BY FPL  
TV SERVICE TO BE PROVIDED BY BRIGHTHOUSE.  
GAS, IF REQUESTED, TO BE PROVIDED BY TECO/PEOPLES GAS.  
D. THERE ARE NO KNOWN WELLS ON THIS SITE. ANY WELLS DISCOVERED DURING EARTH MOVING, EXCAVATION OR CONSTRUCTION MUST BE REPORTED TO THE ENVIRONMENTAL ENGINEERING DEPARTMENT WITHIN 24 HOURS OF DISCOVERY. IF SAID WELL HAS NO USE, IT SHALL BE PLUGGED BY A LICENSED WELL DRILLING CONTRACTOR IN AN APPROVED MANNER.  
E. ANY SEPTIC TANKS LOCATED ON THIS SITE WILL BE CRUSHED AND REMOVED PRIOR TO CONSTRUCTION.  
F. ALL UTILITIES INCLUDING TELEPHONE, TELEVISION CABLE AND ELECTRICAL SYSTEMS SHALL BE INSTALLED UNDERGROUND.  
G. WATER AND WASTEWATER FACILITIES SHALL BE CONSTRUCTED BY THE DEVELOPER IN ACCORDANCE WITH SECTION 722 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.  
H. THE PROPOSED POTABLE WATER WATER AND WASTEWATER FACILITIES SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO GRAPHICALLY DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF SECTION 722 OF THE MANATEE COUNTY LOC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.
- 14. STATEMENT OF SCHOOL NEEDS:**  
A. THE SCHOOL NEED ASSESSMENT IS TO BE DETERMINED.
- 15. IRRIGATION NOTES:**  
A. ALL CONSTRUCTION SHALL BE COMPLETED IN ACCORDANCE WITH MANATEE COUNTY DEVELOPMENT STANDARDS.  
B. THE LOWEST WATER QUALITY SOURCE AVAILABLE WILL BE USED FOR IRRIGATION. RECLAIMED WATER IS NOT CURRENTLY AVAILABLE IN THIS AREA. SURFACE WATER OR WELL WATER WILL BE USED.
- 16. LIGHTING:**  
A. SUBDIVISION LIGHTING MAY BE PROVIDED FOR THE SAFETY AND SECURITY OF THE SUBDIVISION RESIDENTS AND GUESTS.
- 17. WETLAND PERMANENT IMPACTS:**  
A. TOTAL WETLAND IMPACTS: 0.00 ACRES. THERE ARE NO WETLAND IMPACTS.
- 18. DEVELOPMENT CONSTRUCTION SCHEDULE:**  
START SITE IMPROVEMENTS: 2/2014  
PROJECTED COMPLETION DATE: 8/2014

**DEVELOPER:**  
M/I HOMES OF TAMPA, LLC  
4343 ANCHOR PLAZA PARKWAY  
TAMPA, FL 33624  
(813) 290-7900

**ENGINEER / SURVEYOR:**  
AM ENGINEERING, INC.  
8340 CONSUMER COURT  
SARASOTA, FLORIDA 34240  
(941) 377-9178  
CERTIFICATE OF AUTHORIZATION No. 4334

### INDEX TO DRAWINGS

DWG. NO.	DESCRIPTION
1	COVER SHEET
2	AERIAL PHOTOGRAPH
3A	EXISTING CONDITIONS / DEMOLITION PLAN - N.W.
3B	EXISTING CONDITIONS / DEMOLITION PLAN - N.W.
4	PRELIMINARY SITE PLAN
4A	PRELIMINARY SITE PLAN
4B	PRELIMINARY SITE PLAN
5	MASTER UTILITY PLAN
5A	OFFSITE UTILITY PLAN
6	STORMWATER MANAGEMENT PLAN
6A	STORMWATER MANAGEMENT PLAN
6B	STORMWATER MANAGEMENT PLAN



REVISION INDEX		
BY:	DATE:	DESCRIPTION:
SRC	8/7/13	MANATEE COMMENTS 7/25/13
SRC	9/18/13	MANATEE COMMENTS 9/11/13
SRC	10/29/13	TYPICAL LOT PER MANATEE 10/28/13

**LEGAL DESCRIPTION (AS FURNISHED)**  
THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, EXCEPTING THEREFROM THE PORTION THEREOF CONVEYED TO MANATEE COUNTY, BY FEE SIMPLE DEED RECORDED IN OFFICIAL RECORDS BOOK 155, PAGE 486, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.  
1,750,651.48 SQUARE FEET OR 40.189 ACRES MORE OR LESS

SEAN R. CROWELL, P.E.  
DATE \_\_\_\_\_  
FLORIDA P.E. No. #58584

Approval Type: PRELIMINARY SITE PLAN    Project Name: BROOKSIDE ESTATES

Approved: \_\_\_\_\_ Date \_\_\_\_\_ File Number \_\_\_\_\_

Project Planner (PD) \_\_\_\_\_

Project Engineer (PD) \_\_\_\_\_

Concurrence (PD) \_\_\_\_\_

Environmental Planning (PD) \_\_\_\_\_

Environmental Health \_\_\_\_\_

Fire District \_\_\_\_\_

Owner / Agent \_\_\_\_\_



10/26/2013 8:12am C:\Users\j... Desktop\Projects\Upper Manatee River Road\Drawings\Aerial\Aerial.mxd

MANATEE COUNTY FLORIDA

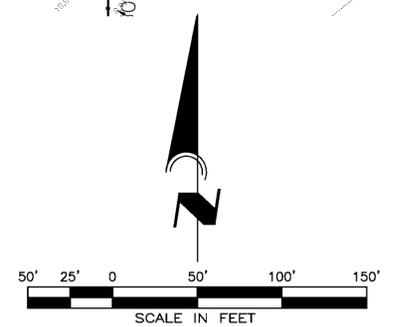
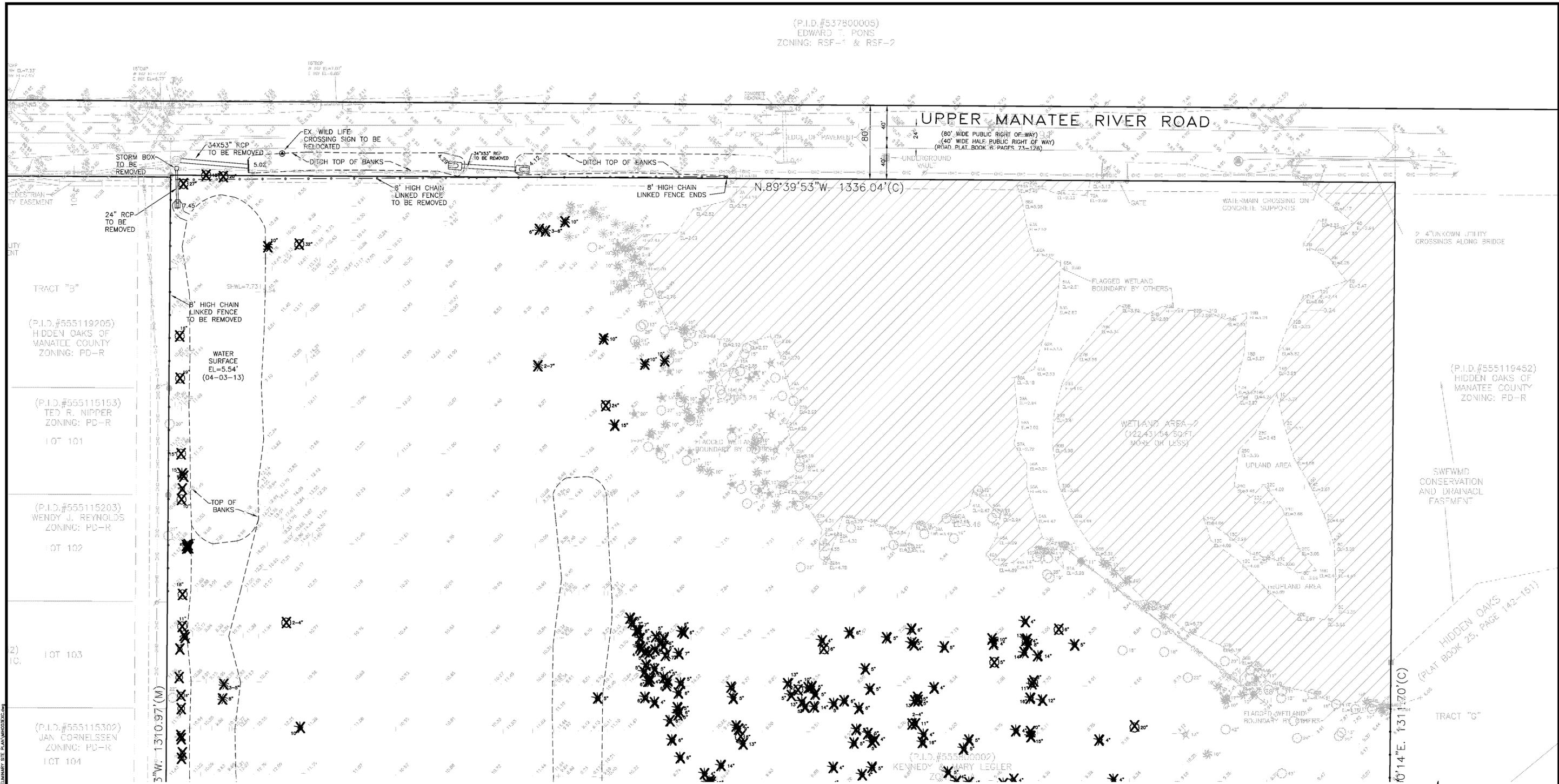
SECTION	TWP.	RANGE
21	34 S	21 E

REVISIONS	
BY	DATE

**ENGINEERING, INC**  
 8340 CONSUMER COURT  
 SARASOTA, FL 34240  
 EB #4334  
 PHONE: (941) 377-9178

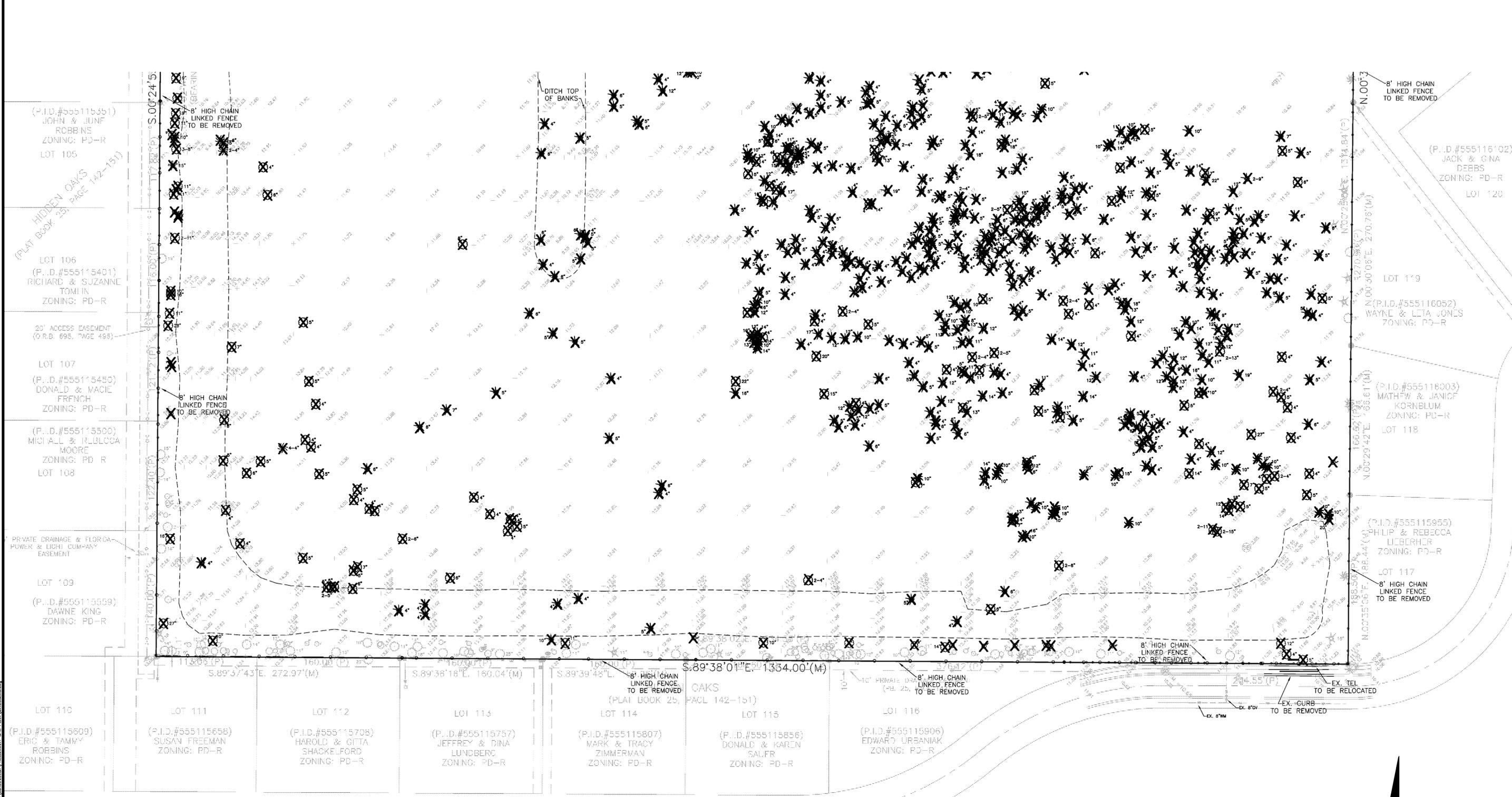
PROJ: UPPER MANATEE RIVER ROAD PROJECT SCALE: 1"=200' DATE: 8/26/13 CLIENT: M/I HOMES OF TAMPA, LLC DESC: AERIAL PHOTOGRAPH	APPROVED BY: DRAWN BY: RWD CAD FILE: MIHO03AER JOB NO: MIHO-0003 DRWG. NO: 2
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(P.I.D.#537800005)  
 EDWARD T. PONS  
 ZONING: RSF-1 & RSF-2

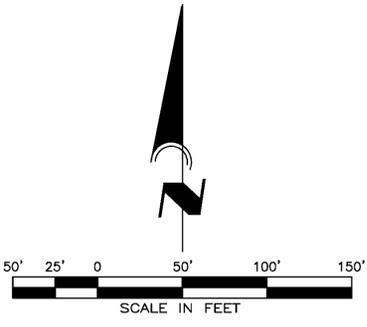


<p><b>CALL BEFORE YOU DIG!</b>  <b>"SUNSHINE STATE ONE-CALL CENTER"</b>  <b>1-800-432-4770</b></p> <p>THE CONTRACTOR SHALL NOTIFY "SUNSHINE STATE ONE-CALL CENTER" AND ALL OTHER UTILITIES FOR LOCATION OF EXISTING FACILITIES PRIOR TO BEGINNING CONSTRUCTION.</p>		<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>BY</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>SRC</td> <td>8/7/13</td> <td>MANATEE COMMENTS 7/25/13</td> </tr> <tr> <td>SRC</td> <td>9/18/13</td> <td>MANATEE COMMENTS 9/11/13</td> </tr> </tbody> </table>	BY	DATE	DESCRIPTION	SRC	8/7/13	MANATEE COMMENTS 7/25/13	SRC	9/18/13	MANATEE COMMENTS 9/11/13	<p><b>ENGINEERING, INC.</b>        8340 CONSUMER COURT        SARASOTA, FL 34240        EB #4354</p> <p>PHONE: (941) 377-9178</p>	<p><b>PROJECT: BROOKSIDE ESTATES</b></p> <p>SCALE: 1"=50'</p> <p>DATE: 6/26/13</p> <p>CLIENT: M/I HOMES OF TAMPA, LLC</p> <p>DESC: EXISTING CONDITIONS - NORTH</p>	<p>APPROVED BY: SEAN R. CROWELL, PE        FLORIDA CERTIFICATE NO: 58584</p> <p>DRAWN BY: RWD        CAD FILE: MIH003EXC        JOB NO: MIH0-0003        DRWG. NO. 3A</p>
BY	DATE	DESCRIPTION												
SRC	8/7/13	MANATEE COMMENTS 7/25/13												
SRC	9/18/13	MANATEE COMMENTS 9/11/13												

24 Sep 2013 11:17:00 AM Engineering Project: Engineering\000003\Engineering\_CAD\Construction\PRELIMINARY SITE PLAN\MIH003EXC.dwg



7th AVENUE N.E.  
(50' PUBLIC RIGHT OF WAY)



CALL BEFORE YOU DIG!  
"SUNSHINE STATE ONE-CALL CENTER"  
1-800-432-4770  
THE CONTRACTOR SHALL NOTIFY "SUNSHINE STATE ONE-CALL CENTER" AND ALL OTHER UTILITIES FOR LOCATION OF EXISTING FACILITIES PRIOR TO BEGINNING CONSTRUCTION.

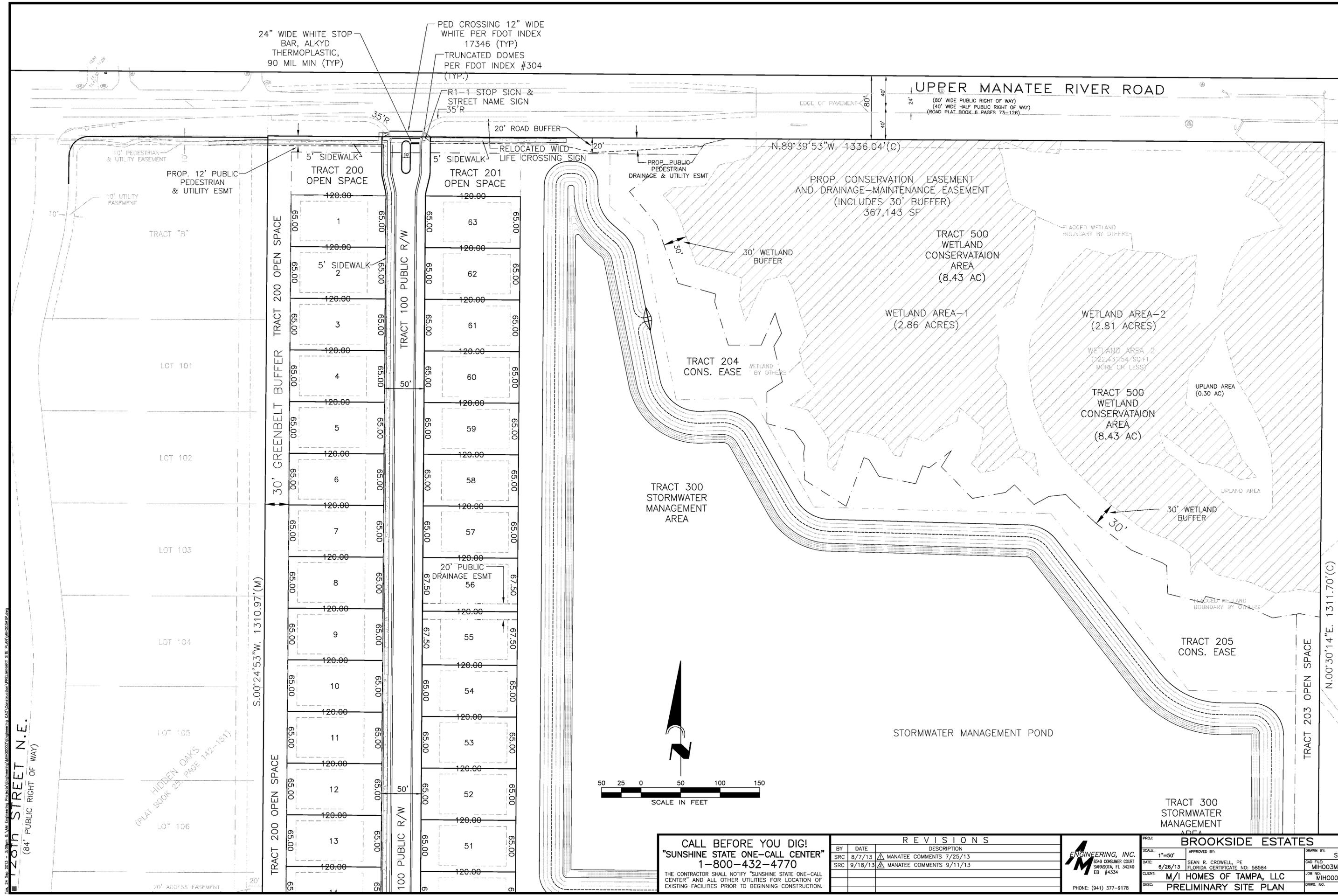
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BY	DATE	DESCRIPTION
SRC	8/7/13	MANATEE COMMENTS 7/25/13
SRC	9/18/13	MANATEE COMMENTS 9/11/13

**ENGINEERING, INC.**  
8340 CONSUMER COURT  
SARASOTA, FL 34240  
EB #4334  
PHONE: (941) 377-9178

BROOKSIDE ESTATES		
SCALE:	APPROVED BY:	DRAWN BY:
1"=50'	SEAN R. CROWELL, PE	RWD
DATE:	FLORIDA CERTIFICATE NO: 58584	CAD FILE:
6/26/13		MIH003EXC
CLIENT:	M/I HOMES OF TAMPA, LLC	JOB NO:
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DESC:	EXISTING CONDITIONS - SOUTH	DRWG. NO:
		3B

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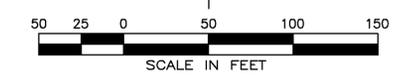




120th STREET N.E.  
 (84' PUBLIC RIGHT OF WAY)

UPPER MANATEE RIVER ROAD

(80' WIDE PUBLIC RIGHT OF WAY)  
 (40' WIDE HALF PUBLIC RIGHT OF WAY)  
 (ROAD PLAT BOOK 6, PAGES 73-126)



CALL BEFORE YOU DIG!  
 "SUNSHINE STATE ONE-CALL CENTER"  
 1-800-432-4770

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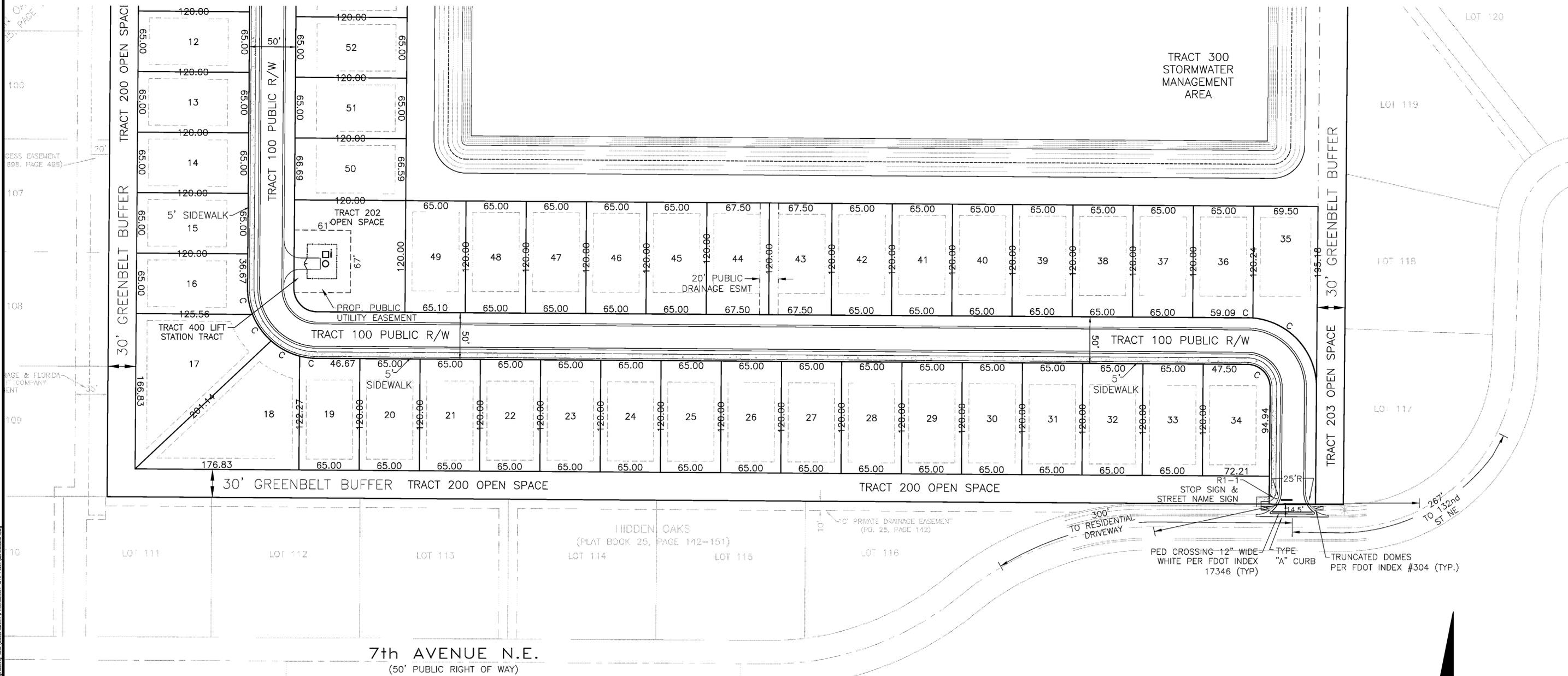
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SRC	8/7/13	MANATEE COMMENTS 7/25/13
SRC	9/18/13	MANATEE COMMENTS 9/11/13

**ENGINEERING, INC.**  
 8340 CONSUMER COURT  
 SARASOTA, FL 34240  
 EB #4354

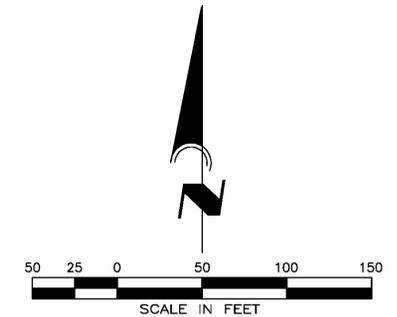
PHONE: (941) 377-9178

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CLIENT:	M/I HOMES OF TAMPA, LLC	JOB NO: MIH00003	
DESC:	PRELIMINARY SITE PLAN	DRWS. NO. 4A	

HIDDEN OAKS  
 (PLAT BOOK 25, PAGE 142-151)



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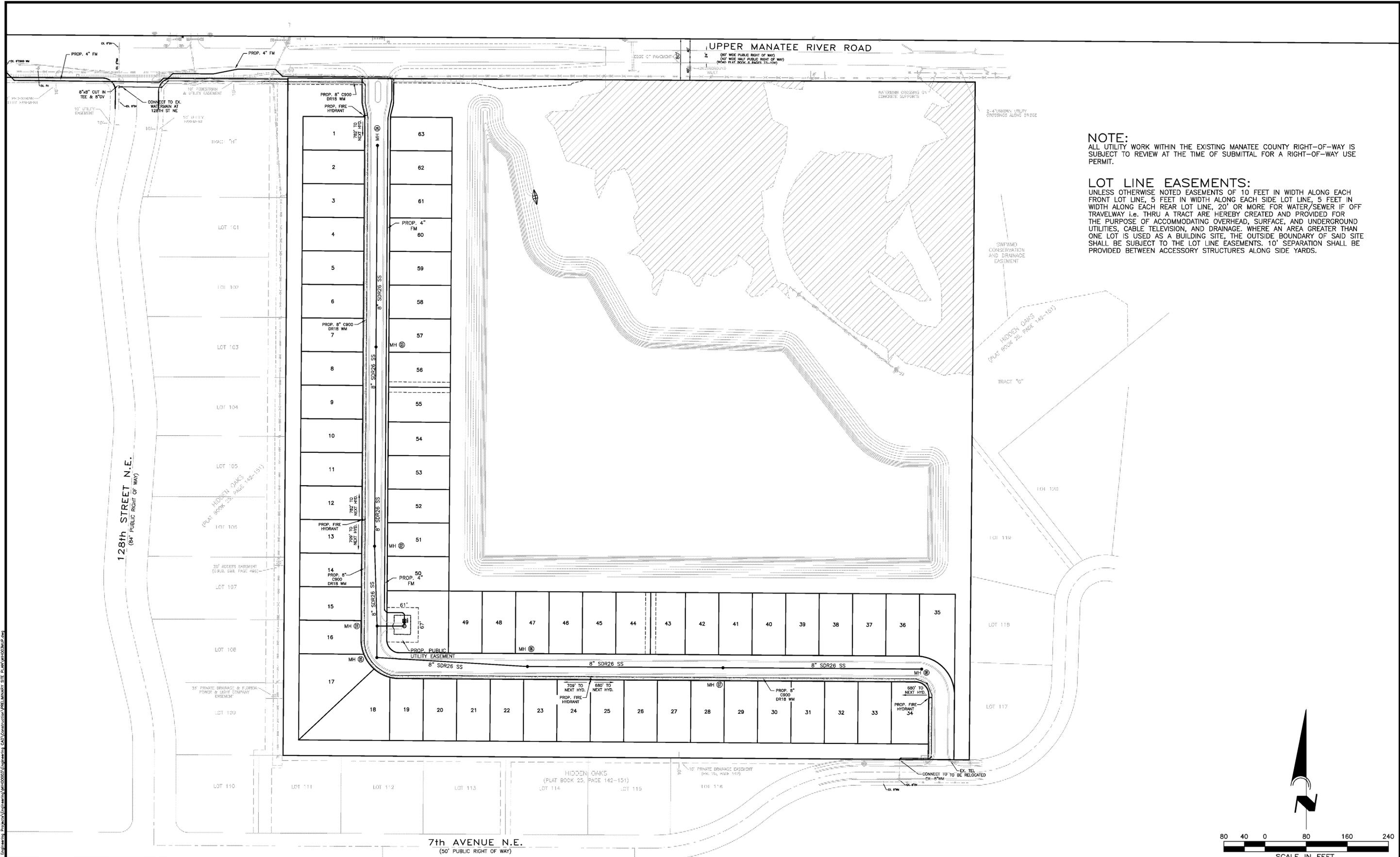


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**1-800-432-4770**  
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SRC	9/18/13	MANATEE COMMENTS 9/11/13

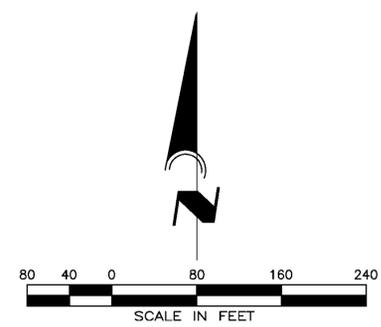
**ENGINEERING, INC.**  
 8340 CONSUMER COURT  
 SARASOTA, FL 34240  
 EB #4354  
 PHONE: (941) 377-9178

BROOKSIDE ESTATES			
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CLIENT:	M/I HOMES OF TAMPA, LLC		CAD FILE: MIH003MSP
DESC:	PRELIMINARY SITE PLAN		JOB NO: MIH00003 DRWG. NO. 4B



**NOTE:**  
 ALL UTILITY WORK WITHIN THE EXISTING MANATEE COUNTY RIGHT-OF-WAY IS SUBJECT TO REVIEW AT THE TIME OF SUBMITTAL FOR A RIGHT-OF-WAY USE PERMIT.

**LOT LINE EASEMENTS:**  
 UNLESS OTHERWISE NOTED EASEMENTS OF 10 FEET IN WIDTH ALONG EACH FRONT LOT LINE, 5 FEET IN WIDTH ALONG EACH SIDE LOT LINE, 5 FEET IN WIDTH ALONG EACH REAR LOT LINE, 20' OR MORE FOR WATER/SEWER IF OFF TRAVELWAY I.E. THRU A TRACT ARE HEREBY CREATED AND PROVIDED FOR THE PURPOSE OF ACCOMMODATING OVERHEAD, SURFACE, AND UNDERGROUND UTILITIES, CABLE TELEVISION, AND DRAINAGE. WHERE AN AREA GREATER THAN ONE LOT IS USED AS A BUILDING SITE, THE OUTSIDE BOUNDARY OF SAID SITE SHALL BE SUBJECT TO THE LOT LINE EASEMENTS. 10' SEPARATION SHALL BE PROVIDED BETWEEN ACCESSORY STRUCTURES ALONG SIDE YARDS.



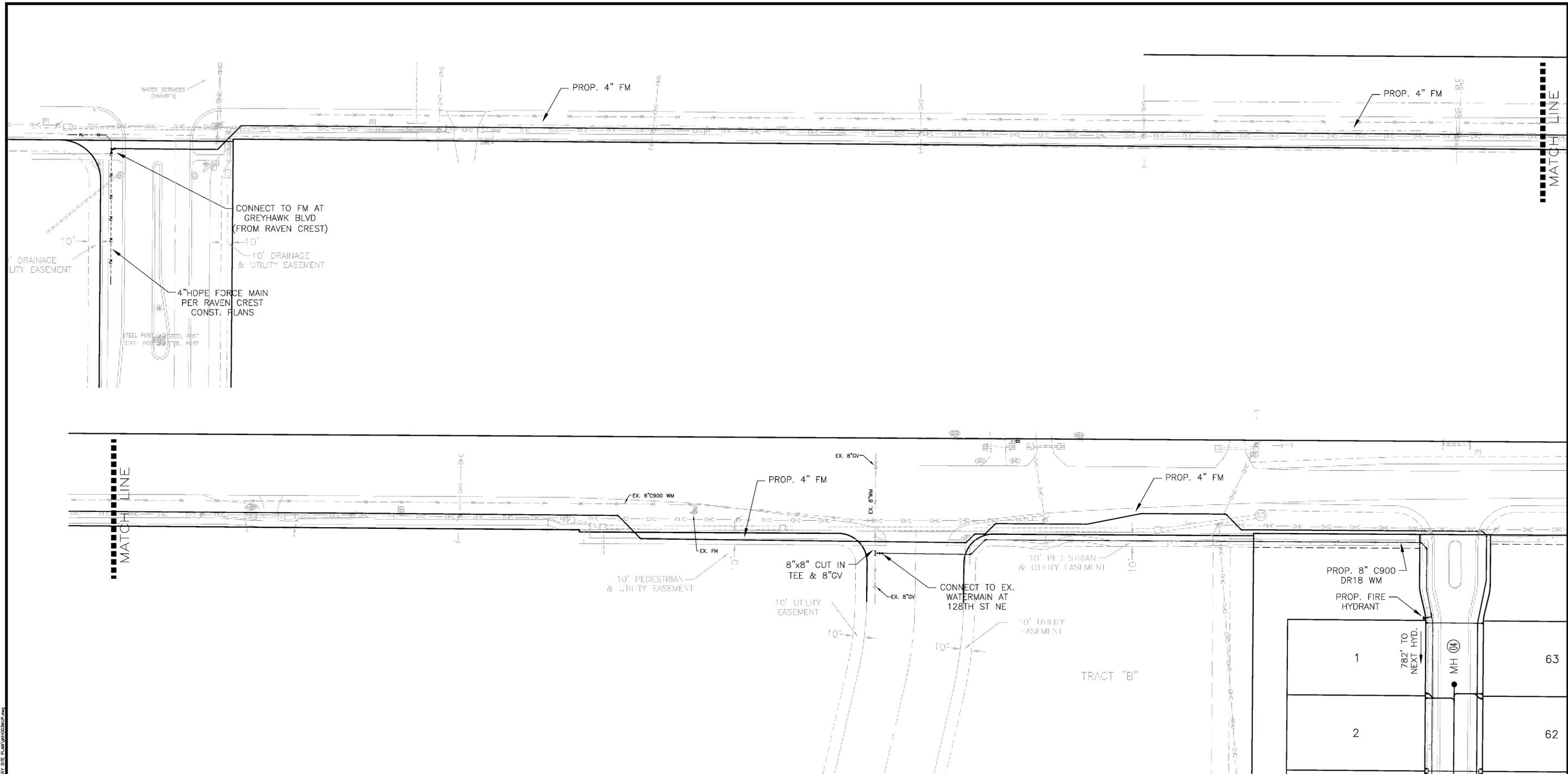
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**CALL BEFORE YOU DIG!**  
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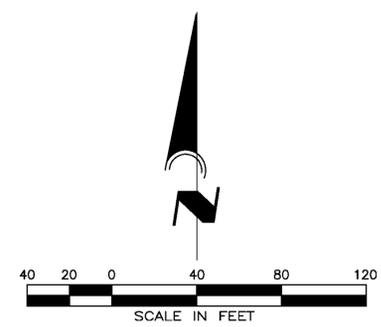
**ENGINEERING, INC.**  
 8340 CONSUMER COURT  
 SARASOTA, FL 34240  
 EB #4334  
 PHONE: (941) 377-9178

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M/I HOMES OF TAMPA, LLC			MIH003MUP
DESC:			JOB NO:
MASTER UTILITY PLAN			MIH00003
			DRWG. NO.:
			5



**NOTE:**  
 ALL UTILITY WORK WITHIN THE EXISTING MANATEE COUNTY RIGHT-OF-WAY IS SUBJECT TO REVIEW AT THE TIME OF SUBMITTAL FOR A RIGHT-OF-WAY USE PERMIT.

**LOT LINE EASEMENTS:**  
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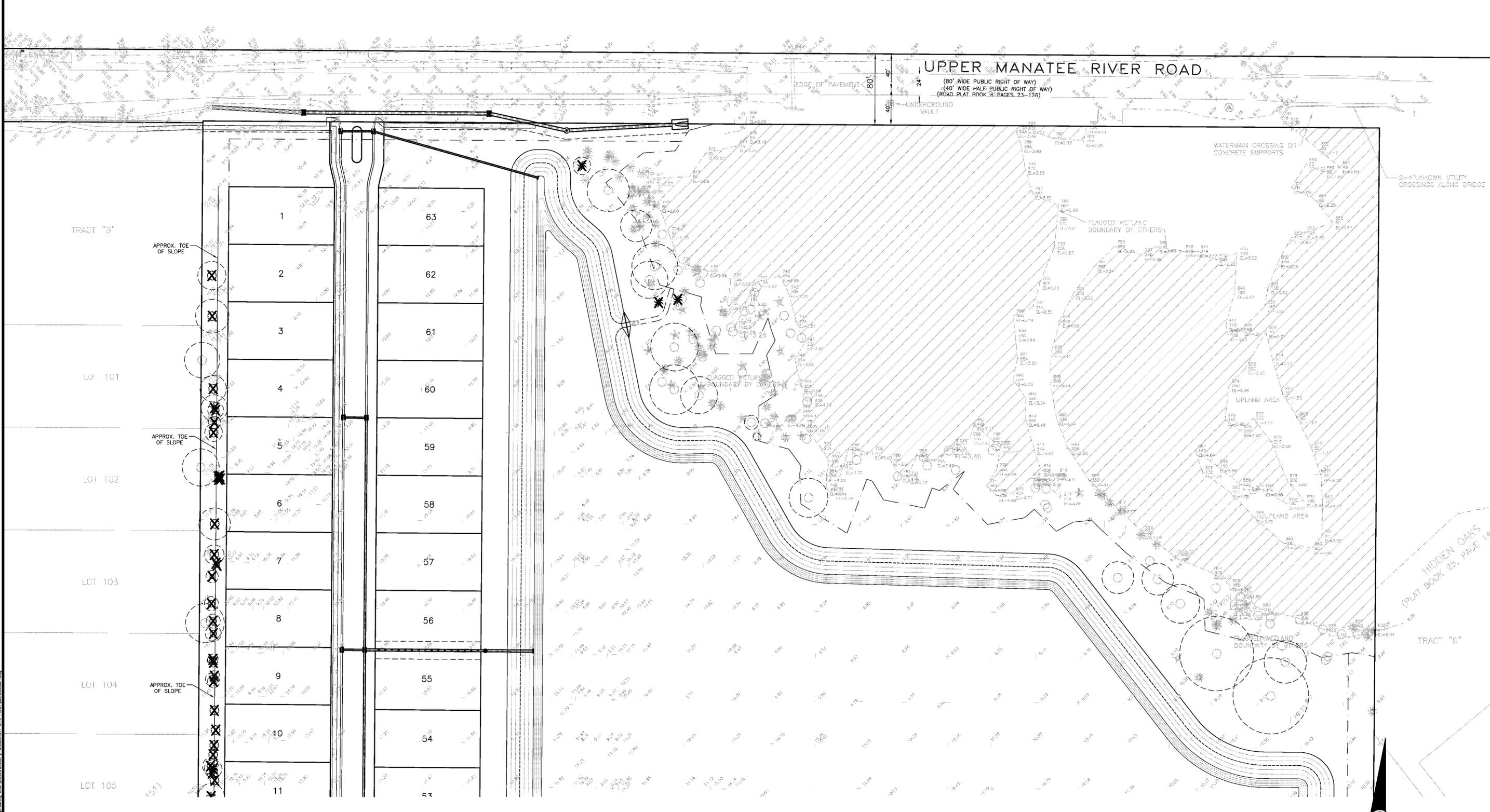
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SRC	9/18/13	MANATEE COMMENTS 9/11/13

**ENGINEERING, INC.**  
 8340 CONSUMER COURT  
 SARASOTA, FL 34240  
 EB #4354  
 PHONE: (941) 377-9178

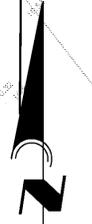
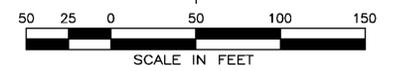
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CLIENT: M/I HOMES OF TAMPA, LLC	JOB NO:	MIH00003	
DESC: OFFSITE UTILITIES	DRWG. NO.	5A	





APPROX. TOE OF SLOPE

CONTRACTOR TO COORDINATE WITH LANDSCAPE ARCHITECT DURING CONSTRUCTION FOR FILLING FROM LOTS TO DETERMINE IF EXISTING TREES SHOWN TO BE REMOVED CAN BE SAVED.



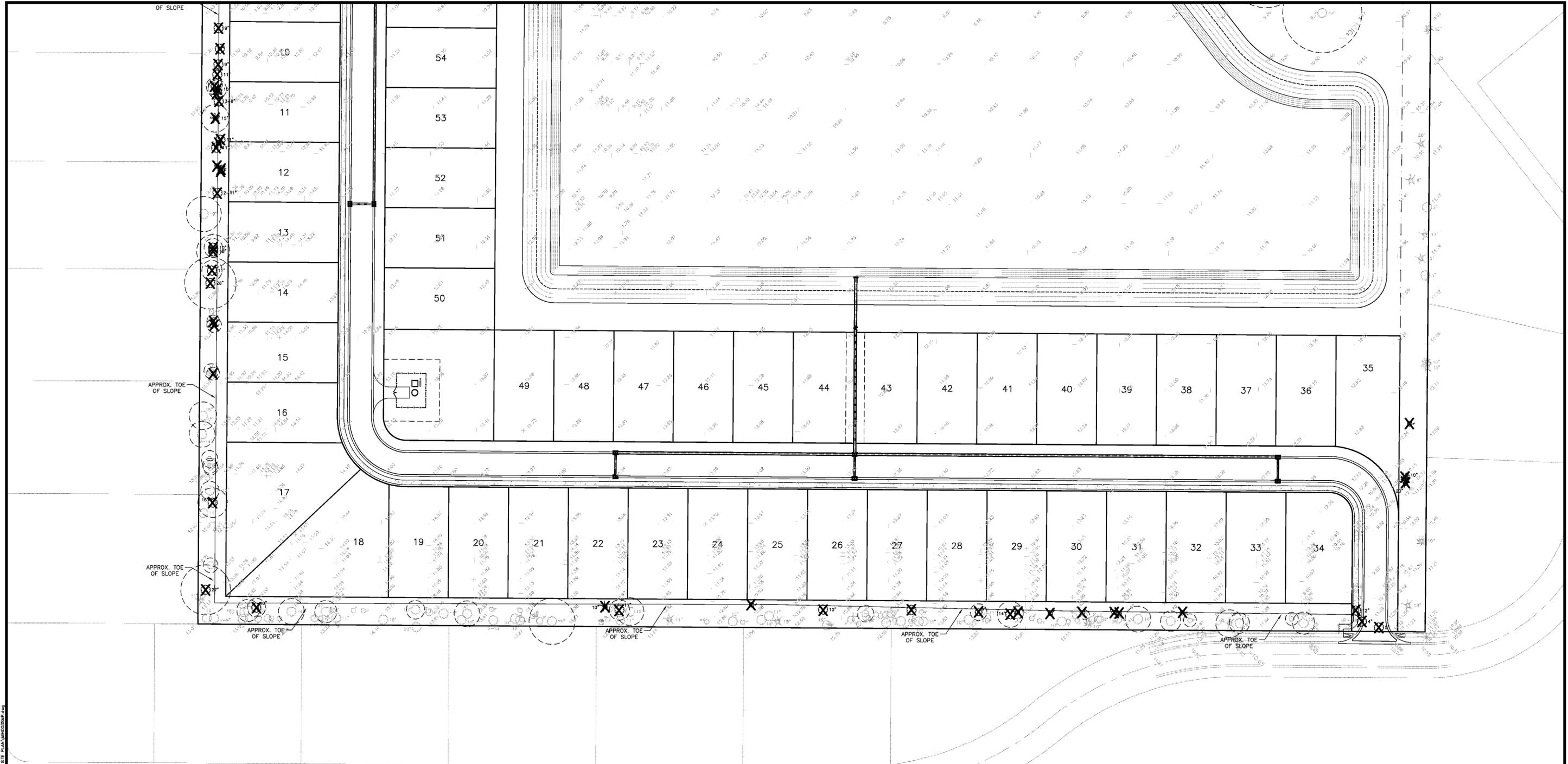
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BY	DATE	DESCRIPTION
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SRC	9/18/13	MANATEE COMMENTS 9/11/13

**ENGINEERING, INC.**  
 8340 CONSUMER COURT  
 SARASOTA, FL 34240  
 EB #4354  
 PHONE: (941) 377-9178

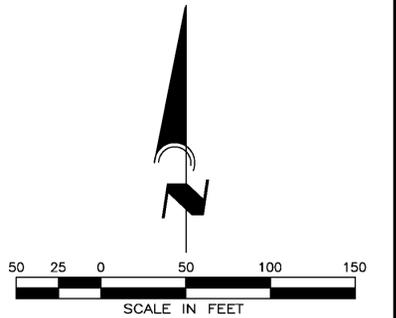
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1"=50'	SEAN R. CROWELL, PE FLORIDA CERTIFICATE NO: 58584	SRC
DATE:	6/26/13	CAD FILE: MIH003MUP
CLIENT:	M/I HOMES OF TAMPA, LLC	JOB NO: MIH00003
DESC:	STORMWATER MANAGEMENT PLAN	DRWG. NO: 6A

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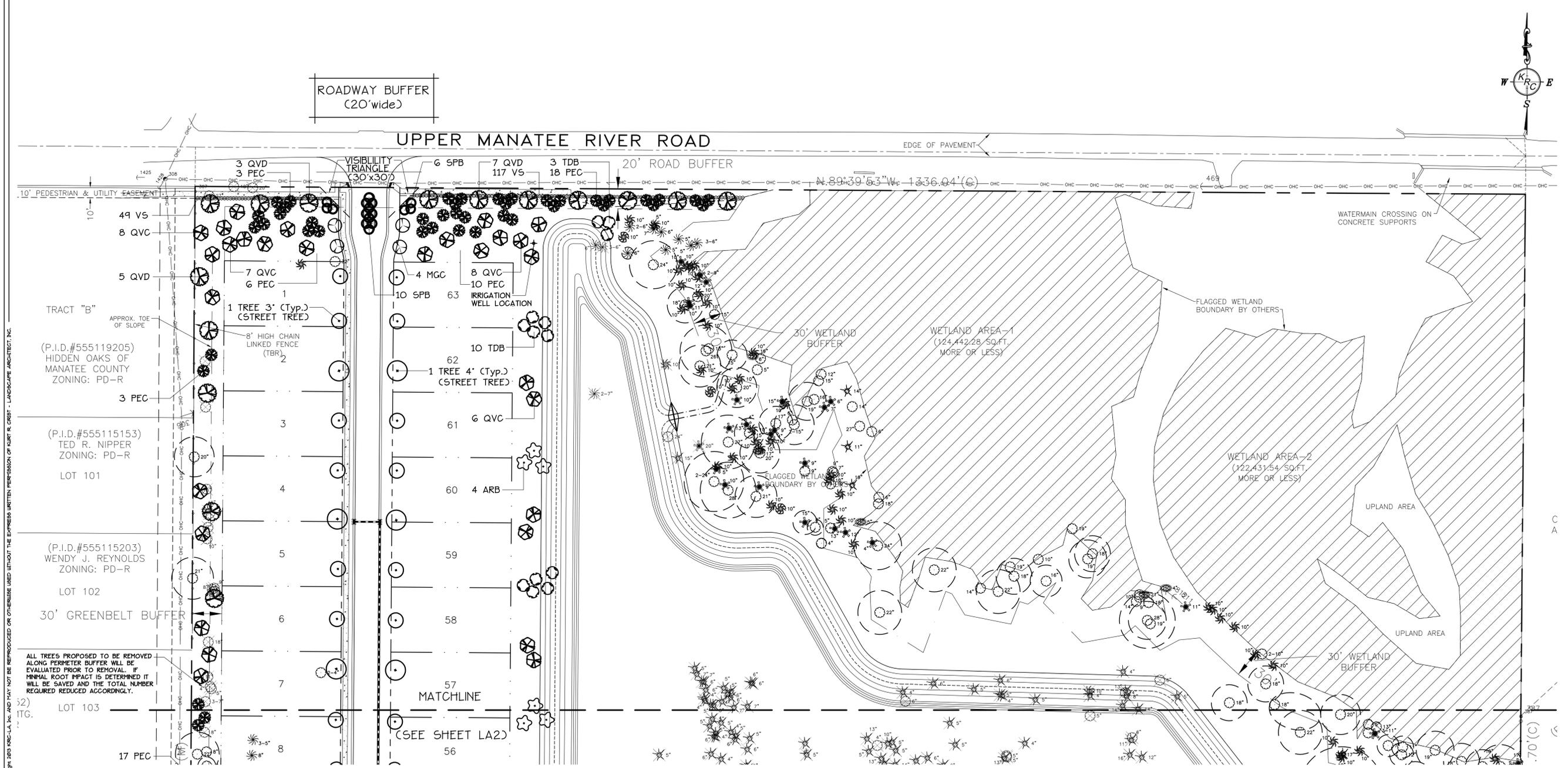
7th AVENUE N.E.  
(50' PUBLIC RIGHT OF WAY)

CONTRACTOR TO COORDINATE WITH LANDSCAPE ARCHITECT DURING CONSTRUCTION FOR FILLING FROM LOTS TO DETERMINE IF EXISTING TREES SHOWN TO BE REMOVED CAN BE SAVED.



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BY	DATE	DESCRIPTION												
SRC	8/7/13	MANATEE COMMENTS 7/25/13												
SRC	9/18/13	MANATEE COMMENTS 9/11/13												

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ALL TREES PROPOSED TO BE REMOVED ALONG PERIMETER BUFFER WILL BE EVALUATED PRIOR TO REMOVAL. IF MINIMAL ROOT IMPACT IS DETERMINED IT WILL BE SAVED AND THE TOTAL NUMBER REQUIRED REDUCED ACCORDINGLY.

**PLANT LIST:**

KEY	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS
ARB	<i>Acer rubrum</i>	Florida Red Maple Tree	12h, 3'cal.
MGC	<i>Magnolia grandiflora</i> 'Brackens Br. Beauty'	Brackens Br. Magnolia Tree	12'-14h, 3'cal. Full to Pot
PEC	<i>Pinus elliotii</i>	Slash Pine Tree	12'-14h, 3'cal.
QVC	<i>Quercus virginiana</i>	Live Oak Tree	12'-14h, 3'cal.
QVD	<i>Quercus virginiana</i>	Live Oak Tree	16'-18h, 4'cal.
SPB	<i>Sabal palmetto</i>	Cabbage Palm	15'-20'oa. Hurricane Cut
TDB	<i>Taxodium distichum</i>	Bald Cypress Tree	12h, 3'cal.
VO	<i>Viburnum odoratissimum</i>	Sweet Viburnum	24h, 3 gal. (3'o.c.)
VS	<i>Viburnum suspensum</i>	Sandankwa Viburnum	24h, 3 gal. (3'o.c.)
TREE 3	<i>Acer rubrum</i>	Red Maple Tree	3' or 4' caliper
OR	<i>Bucida buceras</i> 'Shady Lady'	Shady Lady Black Olive Tree	3' or 4' caliper
TREE 4	<i>Koelreuteria elegans</i>	Golden Raintree	3' or 4' caliper
	<i>Liquidambar styraciflua</i>	Sweetgum Tree	3' or 4' caliper
	<i>Tabebuia caraiba</i>	Gold Tree	3' or 4' caliper
	<i>Tabebuia chysotricha</i>	Gold Trumpet Tree	3' or 4' caliper
	<i>Tabebuia heterophylla</i>	Pink Trumpet Tree	3' or 4' caliper
	<i>Tabebuia impetiginosa</i>	Purple Trumpet Tree	3' or 4' caliper
	<i>Ulmus americana</i> Floridaana	Florida Elm Tree	3' or 4' caliper
	<i>Ulmus alata</i>	Winged Elm	3' or 4' caliper
	<i>Ulmus parviflora</i>	Chinese Elm Tree	3' or 4' caliper

**EXISTING TREE LEGEND**

- 11" Cedar (Caliper)
- Oak (Caliper)
- 13" Pine (Caliper)
- 5" Willow (Caliper)
- 4" Unknown (Caliper)
- 10" Cabbage Palm
- 15" Ex. Tree Canopy (Estimate)
- 4" Tree (To Be Removed)

**Kurt R. Crist - Landscape Architect, Inc.**

2350 East Creek Lane  
Sarasota, Florida 34236  
Office: (941) 378-8888  
Fax: (941) 378-8888  
email: krc@krcinc.com

No.	Revision	Date
1	Revised per County Comments	8/12/13
2	Revised per County Comments	9/24/13

**UMRR SUBDIVISION**  
Upper Manatee River Road  
Manatee County, Florida

**LANDSCAPE PLAN**

Designed: krc  
Drawn: cadd  
Scale: 1"=50'  
Date: 6/24/13  
Sheet: 130101-11a

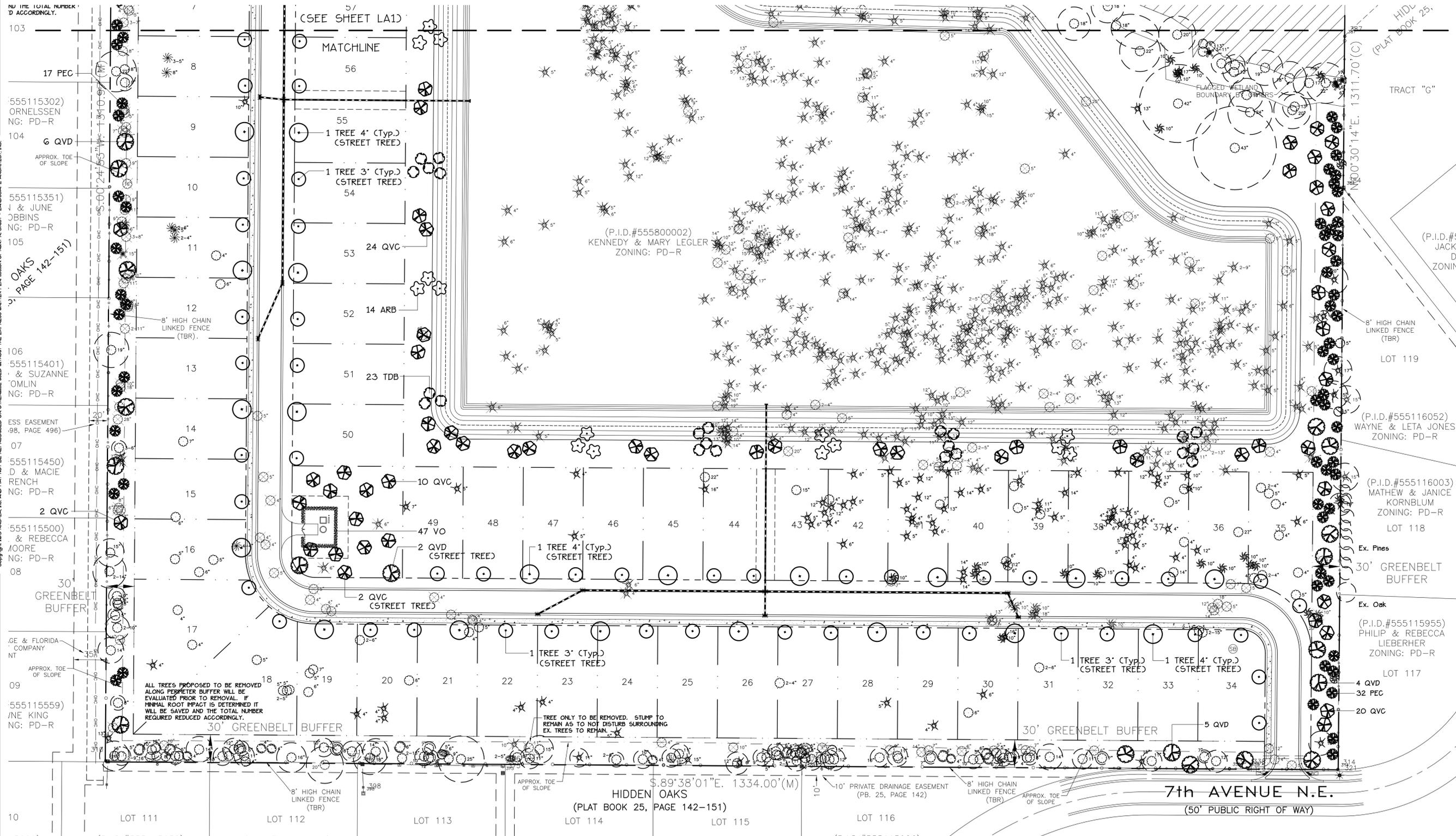
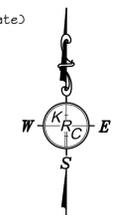
LA1  
of 3  
Project #13010

**PLANT LIST:**

KEY	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS
ARB	<i>Acer rubrum</i>	Florida Red Maple Tree	12'h, 3'cal.
MGC	<i>Magnolia grandiflora</i> 'Brackens Br. Beauty'	Brackens Br. Magnolia Tree	12'-14'h, 3'cal., Full to Pot
PEC	<i>Pinus elliotii</i>	Slash Pine Tree	12'-14'h, 3'cal.
QVC	<i>Quercus virginiana</i>	Live Oak Tree	12'-14'h, 3'cal.
QVD	<i>Quercus virginiana</i>	Live Oak Tree	16'-18'h, 4'cal.
SPB	<i>Sabal palmetto</i>	Cabbage Palm	15'-20'oa, Hurricane Cut
TDB	<i>Taxodium distichum</i>	Bald Cypress Tree	12'h, 3'cal.
VO	<i>Viburnum odoratissimum</i>	Sweet Viburnum	24'h, 3 gal. (3'o.c.)
VS	<i>Viburnum suspensum</i>	Sandankwa Viburnum	24'h, 3 gal. (3'o.c.)
TREE 3	<i>Acer rubrum</i>	Red Maple Tree	3' or 4' caliper
OR	<i>Bucida buceras</i> 'Shady Lady'	Shady Lady Black Olive Tree	3' or 4' caliper
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	<i>Tabebuia caribaea</i>	Gold Tree	3' or 4' caliper
	<i>Tabebuia chysotricha</i>	Gold Trumpet Tree	3' or 4' caliper
	<i>Tabebuia heterophylla</i>	Pink Trumpet Tree	3' or 4' caliper
	<i>Tabebuia impetiginosa</i>	Purple Trumpet Tree	3' or 4' caliper
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- Oak (Caliper)
- 13" Pine (Caliper)
- 5" Willow (Caliper)
- 4" Unknown (Caliper)
- 10" Cabbage Palm
- Ex. Tree Canopy (Estimate)
- Tree (To Be Removed)



NO SITE UTIL NUMBER D ACCORDINGLY.

103

17 PEC

555115302) ORNELSSEN NG: PD-R

104

6 QVD

APPROX. TOE OF SLOPE

555115351) J & JUNE JBBINS NG: PD-R

OAKS PAGE 142-151

106

555115401) & SUZANNE OMLIN NG: PD-R

ESS EASEMENT 98, PAGE 496

07

555115450) D & MACIE RENCH NG: PD-R

2 QVC

555115500) & REBECCA MOORE NG: PD-R

08

30' GREENBELT BUFFER

GE & FLORIDA COMPANY NT

APPROX. TOE OF SLOPE

555115559) /NE KING NG: PD-R

10

**Kurt R. Crist - Landscape Architect, Inc.**

2390 Barr Creek Loop Sarasota, Florida 34240 Office (941) 378-8080 Fax (941) 378-8080

FL REG. LA # 0901444 email: krc@krc-la.com

No.	Revision	Date
1	Revised per County Comments	8/12/13
2	Revised per County Comments	9/24/13

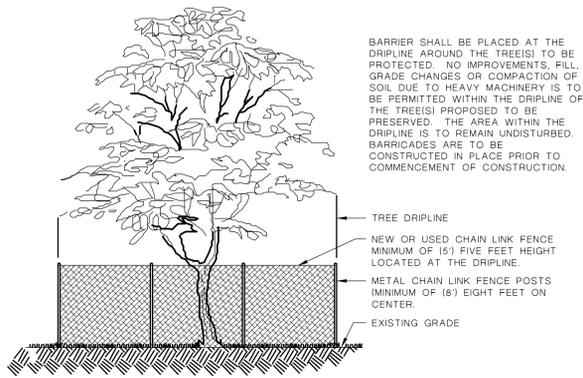
**UMRR SUBDIVISION**  
Upper Manatee River Road  
Manatee County, Florida

**LANDSCAPE PLAN**

Designed: krc  
Drawn: cadd  
Scale: 1"=50'  
Date: 6/24/13  
Sheet: 130102-11a

Project: 13010

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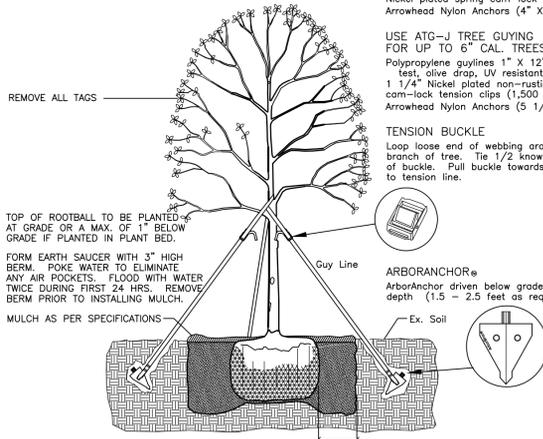


## TREE PROTECTION DETAIL

( PRIOR TO CONSTRUCTION ACTIVITIES ) N.T.S.

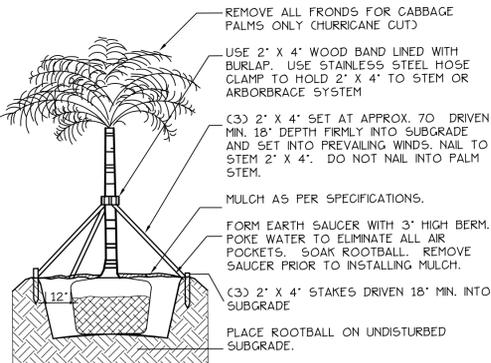
NOTE: Chainlink fence to only be utilized for protection of significant trees (over 30" caliper). Orange or silt fence can be utilized otherwise installed at the dripline.

ARBORBRACE  
Office: (305) 992-4104



## TREE PLANTING DETAIL

SCALE: NOT TO SCALE



## PALM TREE PLANTING DETAIL

SCALE: NOT TO SCALE

### LANDSCAPE REQUIREMENTS:

#### ROADWAY BUFFER REQUIREMENT (20'wide)

2	Canopy Tree / 100 in. ft.	
33	Shrubs / 100 in. ft.	
543.56	(less egress/egress - 48.34) / 100 = 4.95	10 CANOPY TREES REQUIRED
4.95 x 2 = 9.9		164 SHRUBS REQUIRED
4.95 x 33 = 163.3		
10	QVD Live Oak Tree 4'cal.	10 CANOPY TREES PROPOSED
166	V5 Sandankwa Viburnum 24'h. 3 gal.	166 SHRUBS PROPOSED

#### PERIMETER GREENBELT BUFFER REQUIREMENT (30'wide)

##### WEST / SOUTH / EAST PROPERTY LINES

1	Canopy Tree / 30 linear feet	
3,358.87	(less egress/egress - 41') / 30 = 110.6	111 CANOPY TREES REQUIRED
118	Oak	238 CANOPY TREES PROPOSED
11	Pine	
4	Palm	
3	Unknown	
60	PEC Slash Pine Tree	
25	QVC Live Oak Tree 12'-14'h. 3'cal.	
23	QVD Live Oak Tree 12'-14'h. 3'cal.	
	16'-18'h. 4'cal.	

NOTE: Palms counted = 3 for 1. Unknown trees not part of total count.

#### INTERIOR / ROADWAY

1 Canopy Tree required per 50 linear feet

KEY	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS
MGC	Magnolia grandiflora	Brackens Br. Magnolia Tree	12'-14'h. 3'cal. Full to Pot
PEC	Pinus elliotii	Slash Pine Tree	12'-14'h. 3'cal.
QVC	Quercus virginiana	Live Oak Tree	12'-14'h. 3'cal.
QVD	Quercus virginiana	Live Oak Tree	16'-18'h. 4'cal.
SFB	Sabal palmetto	Cabbage Palm	15'-20'oa. Hurricane Cut
TREE 3	Acer rubrum	Red Maple Tree	3' or 4' caliper
OR	Bucida buceras	Shady Lady Black Olive Tree	3' or 4' caliper
TREE 4	Koeleruteria elegans	Golden Rain Tree	3' or 4' caliper
	Liquidambar styraciflua	Sweetgum Tree	3' or 4' caliper
	Tabebuia caraliba	Gold Tree	3' or 4' caliper
	Tabebuia chysotricha	Gold Trumpet Tree	3' or 4' caliper
	Tabebuia heterophylla	Pink Trumpet Tree	3' or 4' caliper
	Tabebuia impetiginosa	Purple Trumpet Tree	3' or 4' caliper
	Ulmus americana floridana	Florida Elm Tree	3' or 4' caliper
	Ulmus alata	Winged Elm	3' or 4' caliper
	Ulmus parviflora	Chinese Elm Tree	3' or 4' caliper

NOTE: Street tree may be any of the above species installed at the size specified on the plan for each lot. Trees will be adjusted for utilities, drives as necessary. Palms to be installed = 2 for 1.

#### TREE REMOVAL / REPLACEMENT INVENTORY

Trees to be removed from overall site Common Areas, Roads and SWF's *	4'-15'	16'-30'	31'-Over
	(1:1)	(2:1)	(3:1)
	3'	4'	4'

Oak	148	13	0
Pine	445	17	0
Cedar	1	0	0
Willow	4	0	0

Total Removed	593	30	0
Total Required Replacement Trees	301	60	0

445 Pines (Replaced 3:1) = 148.3 = 148

Proposed Replacement Trees = 361  
Total Number of Palms Removed = 16  
Proposed Replacement Palms = 16

##### Replacement Tree Sizes:

301	3' Caliper
60	4' Caliper
16	Replacement Palms

\* Includes trees that have been shown to be removed but may be saved. Trees will be evaluated prior to removal to determine if the proposed soil impact will probably cause decline and / or death. If additional trees will be saved the overall number or proposed trees will be recoded accordingly.

#### TREE LOT INVENTORY

Trees located on lots to be removed but not shown for replacement *	4'-15'	16'-30'	31'-Over

Oak	56	2	1
Pine	74	2	0
Willow	12	0	0
Palm	13		

Total Removed	86	4	1
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### PLANT LIST:

QTY.	KEY	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS
18	ARB	Acer rubrum	Florida Red Maple Tree	12'h. 3'cal.
4	MGC	Magnolia grandiflora	Brackens Br. Magnolia Tree	12'-14'h. 3'cal. Full to Pot
99	PEC	Pinus elliotii	Slash Pine Tree	12'-14'h. 3'cal.
85	QVC	Quercus virginiana	Live Oak Tree	12'-14'h. 3'cal.
34	QVD	Quercus virginiana	Live Oak Tree	16'-18'h. 4'cal.
16	SFB	Sabal palmetto	Cabbage Palm	15'-20'oa. Hurricane Cut
38	TDB	Taxodium distichum	Bald Cypress Tree	12'h. 3'cal.
47	VO	Viburnum odoratissimum	Sweet Viburnum	24'h. 3 gal. (3'o.c.)
166	V5	Viburnum suspensum	Sandankwa Viburnum	24'h. 3 gal. (3'o.c.)
59	TREE 3	Acer rubrum	Red Maple Tree	3' or 4' caliper
	OR	Bucida buceras	Shady Lady Black Olive Tree	3' or 4' caliper
26	TREE 4	Koeleruteria elegans	Golden Rain Tree	3' or 4' caliper
		Liquidambar styraciflua	Sweetgum Tree	3' or 4' caliper
		Tabebuia caraliba	Gold Tree	3' or 4' caliper
		Tabebuia chysotricha	Gold Trumpet Tree	3' or 4' caliper
		Tabebuia heterophylla	Pink Trumpet Tree	3' or 4' caliper
		Tabebuia impetiginosa	Purple Trumpet Tree	3' or 4' caliper
		Ulmus americana floridana	Florida Elm Tree	3' or 4' caliper
		Ulmus alata	Winged Elm	3' or 4' caliper
		Ulmus parviflora	Chinese Elm Tree	3' or 4' caliper

#### TREE PROTECTION DETAIL:

- Minimum amount of tree radius to be protected:
  - 100% of the dripline. Filed adjusted barricades to protect 100% of canopy.
  - If the proposed development will encroach within the proposed protection area, then effective pruning or other protective measures may be necessary to ensure that the tree survives. Prior approval from NRD Staff is required.
- Minimum construction: Chain link fence (new or used) or silt fence shall be utilized at the location shown on the approved Tree Protection Plan.
- Contractor shall maintain the barriers until all paving, construction and heavy equipment is out of the area.
- Trees located greater than 15' outside limits of clearing and not located on single family lots as marked by silt screen or hay bales do not require tree barricades.
- No debris, fill materials or construction activity shall occur within confines of barriers.
- Trees on single family lots do not require barricades.
- Protect designated trees scheduled to remain against:
  - Unnecessary cutting, breaking or skimming of roots.
  - Skimming or bruising of bark.
  - Smothering of trees by stockpiling construction or excavation materials within dripline.
  - Excess foot and all vehicular traffic are prohibited.
  - Parking vehicles within dripline.
- Provide water to trees as required to maintain their vigor.
- When necessary to cut roots over 1 1/2" diameter on trees which are to remain, cut must be a clean cut. Coat cut faces of roots with an emulsified asphalt or other acceptable coating formulated for use on damaged plant tissue. Temporarily cover exposed roots with wet burlap to prevent drying and cover with earth as soon as possible.
- No grade changes are to be made within the barricades without prior approval of owner or his designated representative and NRD Staff.
- Repair or replace trees indicated to remain which are damaged in the construction operations, in a manner acceptable to the owner. Employ a qualified tree surgeon to repair major damages to trees and shrubs promptly to prevent progressive deterioration caused by damage. Prior approval from NRD Staff is required.

#### GENERAL NOTES:

A minimum of 2 days and a maximum of 5 days prior to the commencement of any work, Sunshine State One Call shall be notified \* 1 800 432-4770 per Florida Statute 553.851.

The general / site contractor shall be responsible for construction grade preparation, including grading for berms if required, and site drainage unless otherwise specified. Drainage preparation and clean topsoil backfill shall be provided and installed by the general / site contractor to establish construction grades.

The site is to be received by the landscape contractor with finished grades at plus or minus one-tenth of one foot and clear of debris and weed growth. Finished grades in areas abutting curbs, walks, or pavement to be provided flush by the general / site contractor or others. The landscape contractor is responsible for fine grading by hand which consists of smooth, even grades. The landscape contractor is to cut all grades down to minus two inches (-2") below all walks, curbs, pavement, in planters or other abutments in order to contain sod or mulch as specified.

All plants to be Florida grade #1 or better. Workmanship should be of the highest nursery standards.

All plants are to be planted from flush to one inch (1") above finished grade of soil. All trees are to be planted flush with existing grade if surrounded by grass / sod. If planted within a plant bed, trees are to be planted flush to one inch (1") below finished grade to create a shallow basin to hold water and mulch. Soil ring mounds around plants or trees for water must be graded / removed prior to mulch installation. DO NOT backfill any soil over the top of the rootball of any plant or tree.

Apply fertilizer at the rate of 8 pounds per 1000 square feet of lawn or as recommended by the manufacturer for turf areas a minimum of two weeks after sod installation. All plants / trees / palms are to be fertilized with a granular type fertilizer at time of planting. All fertilizer is to be installed in an even ring / circle outside the edge of the rootball or at the edge of the dripline. DO NOT broadcast fertilizer on plants. Follow the application rate: 1 gallon plants 2-4 fluid ounces of granular fertilizer; 3 gallon plants 4-6 fluid ounces; 10-15 gallon plants 8 fluid ounces (1 pound); 30 gallon plants 2 pounds; trees 1 pound per caliper inch; palms 3-4 pounds on small palms; 5-6 pounds on palms 15'oa. 8-10 pounds on palms over 15'oa.

All areas within the property boundaries which require sod are to be sodded with Argentine Bahia solid sod, unless otherwise specified, free from pests and weeds, laid in staggered rows with no gaps. The contractor is to substantiate all sod quantities before final installation.

Use only Grade 'A' cypress bark mulch, 2" deep in all plant bed areas. All trees are to have a mulched bed a minimum of three feet (3') in diameter and three inches (3") deep.

All trees are to be guaranteed for six (6) months and all plants are to be guaranteed for ninety (90) days from the date of final acceptance of the job by the owner / representative. Vandalism, theft, abuse, lack of proper maintenance, watering, or abnormal acts of God are not included.

#### IRRIGATION NOTES:

An irrigation system shall be installed which will provide 100% coverage for all proposed trees and shrubs as specified and located on the landscape plans. A rain / moisture sensing cut-off device will be installed at the controller location (to be determined). All plants will be designed to be irrigated by drip or low volume sprays. All trees will watered delivered by a bubbler.

A 4" well with a 3HP submersible pump is to be installed to provide water for irrigation purposes only. Approximate location per plan.

#### ADDITIONAL NOTES:

Street trees will be installed in accordance with sec. 715.3.4 of the LDC and will be field adjusted to avoid conflicts with driveways, utilities, and signage. Palm trees may not be utilized to meet this requirement unless they are grouped with a minimum of two (2) used for each canopy tree. A maximum of twenty-five (25) percent of all proposed residential street trees may be Palm trees.

Trees and shrubs shall not be placed within the middle two-thirds (2/3) of any drainage swale or within three (3) feet measured horizontally from the centerline of the drainage swale whichever is greater. Swales must allow the positive flow of water without any obstruction.

Required street trees located in individual lots will be installed prior to certificate of occupancy issuance. Irrigation of these trees is the responsibility of the individual lot owner.

Required street trees located in common, open space areas will be installed or bonded before final plan approval.

Landscape buffers shall utilize existing vegetation. Where needed, additional plant material will be installed where existing buffer vegetation does not meet sec. 715 of the LDC.

Kurt R. Crist -  
Landscape Architect, Inc.



2350 Bern Creek Loop  
Bartonsville, Florida 32440  
Phone: (904) 376-8000  
Fax: (904) 376-8000  
FL REG. LA # 0001444  
email: krc@krcinc.com

No.	Revision	Date
1	Revised per County Comments	8/22/13
2	Revised per County Comments	9/24/13

UMRR SUBDIVISION  
Upper Manatee River Road  
Manatee County, Florida

#### NOTES

Designed	krc
Drawn	cadd
Scale	
Date	8/24/13
Sheet	130103-11a

L A 3

of 3  
Project #13010

Kurt R. Crist  
FL Reg. LA #0001444

Date:

# MANATEE COUNTY GOVERNMENT

## AGENDA MEMORANDUM

<b>SUBJECT</b>	PDR-13-32(Z)(P) – David & Melanie Parrish Rezone/Woodlands Trace Subdivision (DTS 20130279)	<b>TYPE AGENDA ITEM</b>	Advertised Public Hearing – Consent
<b>DATE REQUESTED</b>	11/14/13 PC	<b>DATE SUBMITTED/REVISED</b>	11/05/13
<b>BRIEFINGS? Who?</b>	No	<b>CONSEQUENCES IF DEFERRED</b>	N/A
<b>DEPARTMENT/DIVISION</b>	Building & Development Services Department/Comprehensive Planning and Public Hearings	<b>AUTHORIZED BY TITLE</b>	Lisa Barrett, Planning Division Manager 
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Stephanie Moreland, Principal Planner 941-748-4501, ext. 3880	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Stephanie Moreland, Principal Planner 941-748-4501, ext. 3880
<b>ADMINISTRATIVE APPROVAL</b>			

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

I move to recommend approval of PDR-13-32(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

- Ms. Alexis Crespo, Agent for Neal Communities, requests approval of a Rezone of 29.34± acres from A-1 and A-1/WPE (Suburban Agriculture – One dwelling unit per acre/Evers Reservoir Watershed Protection Overlay District) to PDR (Planned Development Residential) zoning district and Preliminary Site Plan for 53 lots for single-family detached residences.
- The site is on the southwest corner of 63<sup>rd</sup> Avenue East and Tuttle Avenue and east side of Prospect Road commencing approximately 700 feet south of 63<sup>rd</sup> Avenue East.
- The entire site is in the RES-6 (Residential-six dwelling units per acre) Future Land Use Category (FLUC). This FLUC allows consideration of suburban or urban residential uses in the range of potential uses.
- The site is no longer within the boundaries of the Evers Reservoir Watershed Protection Overlay District. Information from a watershed analysis provided by the Public Works Department utilizing best available data from the Braden River Watershed Study indicates no impact to potable water sources.
- The design shows one entrance connecting Tuttle Avenue. There appears to be no logical connections for an inter-neighborhood tie because the surrounding area is already developed and connection to the south (where a tie exists) would result in a potential impact to a wetland.
- Recreational amenities on a total of 0.2± acres, include passive recreational areas.
- There are 6.10± acres of wetlands and 2.16± acres of wetland buffers on the site. There are no impacts proposed to the wetland.

Staff has the following concerns:

- The design shows four lots having reverse frontages along Prospect Road. Future residents may experience some noise impacts from vehicles traveling along Prospect Road. The site plan shows the required 20-foot wide roadway buffer and a solid fence or wall (extending from the southwest corner of Lot 21, northward to the southern tip of the stormwater pond) will be installed along

Prospect Road to help alleviate noise impacts and address this concern.

The applicant requests Specific Approval for the following:

- to reduce tree replacement sizes;
- reduce the pavement width of internal private streets to 22 feet;
- to allow one canopy tree per lot;
- no inter-neighborhood tie;
- to eliminate the required sidewalk along 63<sup>rd</sup> Avenue East due to environmental constraints (wetland) and Prospect Road.

The applicant held a neighborhood meeting on October 1<sup>st</sup>, 2013. There were positive comments from those who attended.

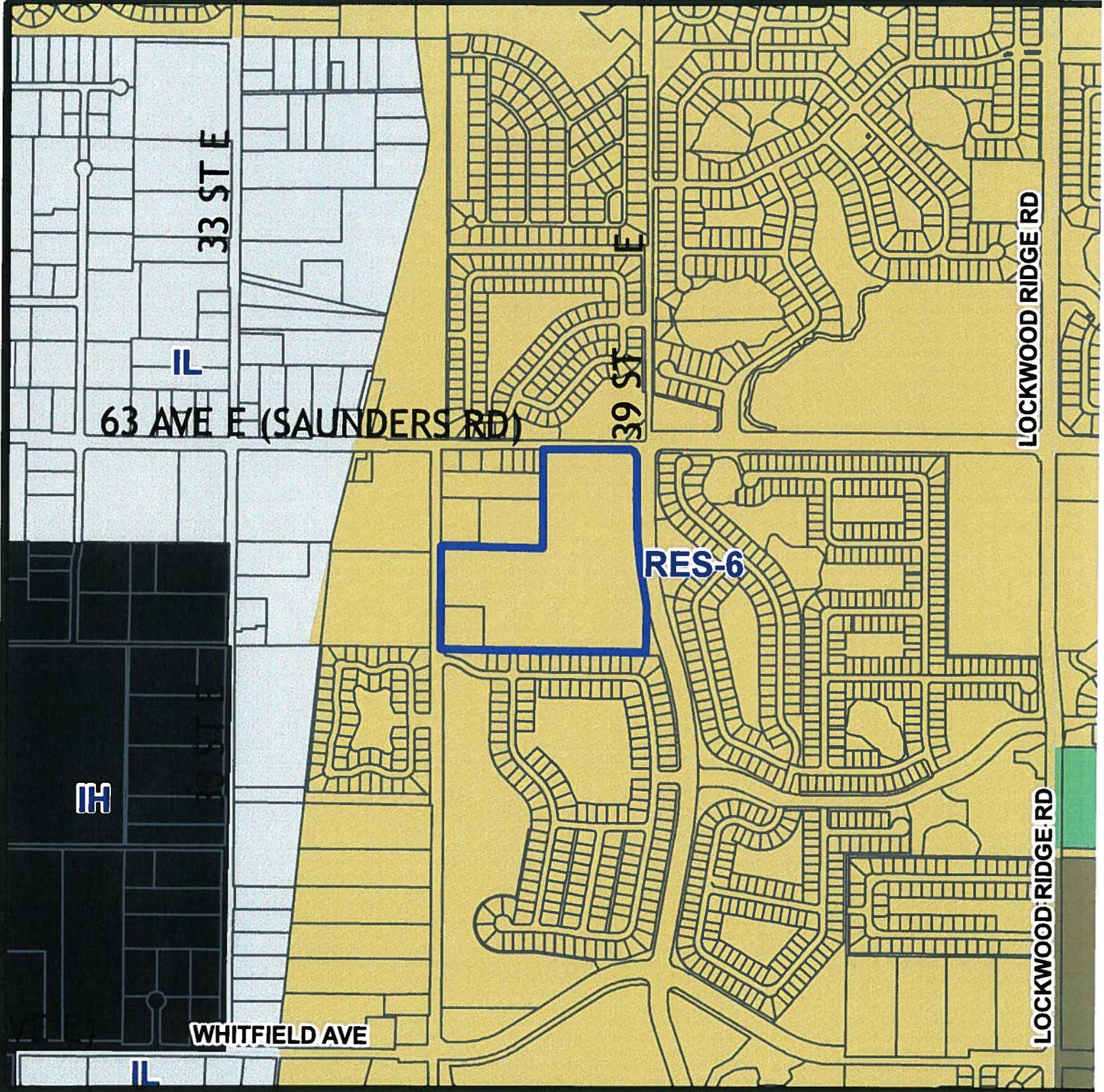
Staff recommends approval with stipulations.

**COUNTY ATTORNEY REVIEW**

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

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Staff Report		n/a	
<b>COST:</b>	n/a	<b>SOURCE (ACCT # &amp; NAME):</b>	n/a
<b>COMMENTS:</b>		<b>AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)</b>	

# FUTURE LAND USE



Parcel ID #(s) 1871900005

Project Name: Woodlands Trace  
 Project #: PDR-13-32 (Z)(P)  
 DTS#: 20130279  
 Proposed Use: Residential

S/T/R: Sec 21,20 Twn 35 Rng 18  
 Acreage: 29.34  
 Existing Zoning: A-1  
 Existing FLU: RES-6  
 Overlays: NONE  
 Special Areas: NONE

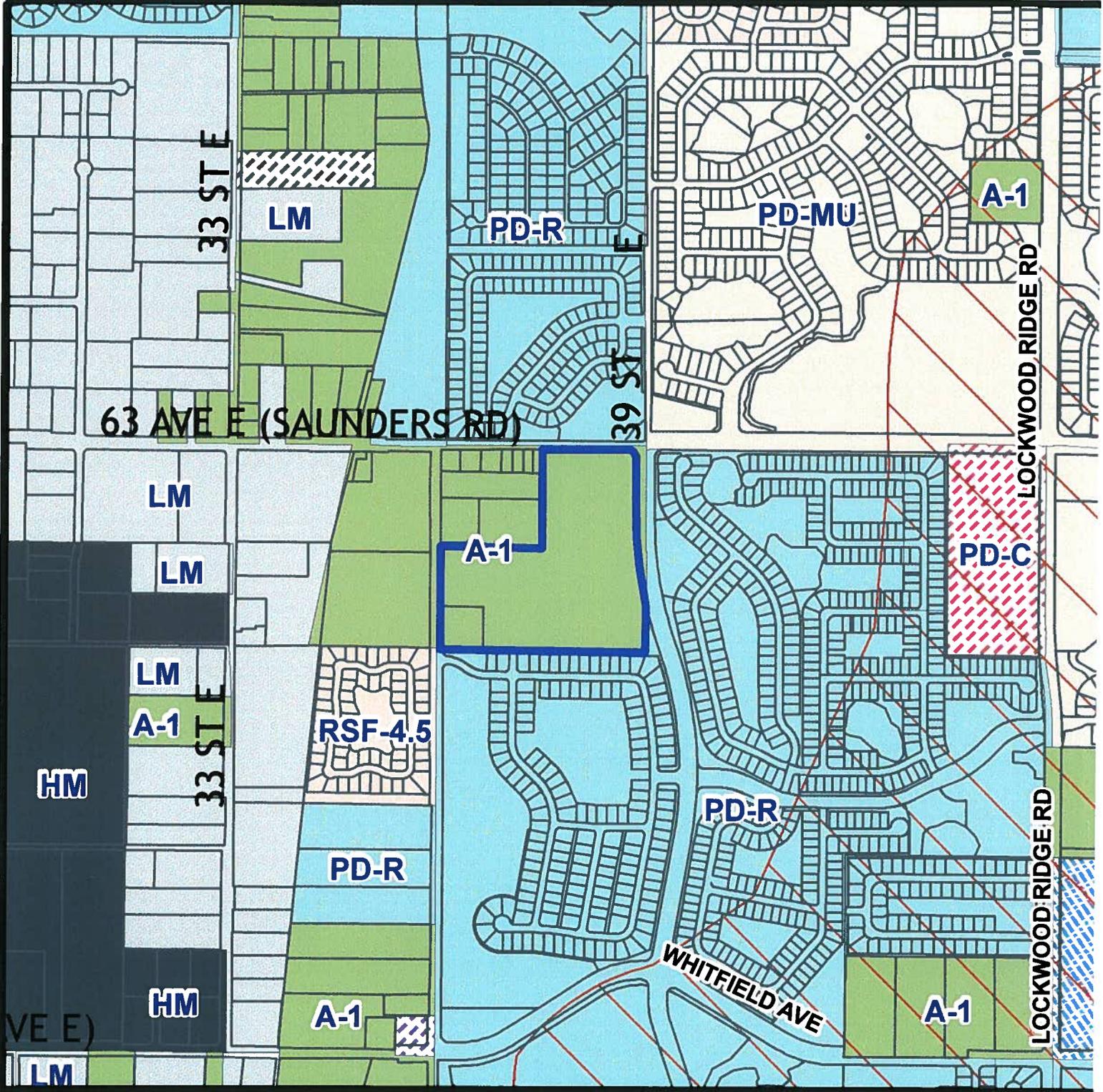
CHH: NONE  
 Watershed: NONE ( based on latest SWFWMD data)  
 Drainage Basin: RATTLESNAKE SLOUGH,GAP CREEK  
 Commissioner: Robin DiSabatino



Manatee County  
 Staff Report Map

Map Prepared 8/20/2013  
 1 inch = 894 feet

# ZONING



Parcel ID #(s) 1871900005

Project Name: Woodlands Trace  
 Project #: PDR-13-32 (Z)(P)  
 DTS#: 20130279  
 Proposed Use: Residential

S/T/R: Sec 21,20 Twn 35 Rng 18  
 Acreage: 29.34  
 Existing Zoning: A-1  
 Existing FLU: RES-6  
 Overlays: NONE  
 Special Areas: NONE

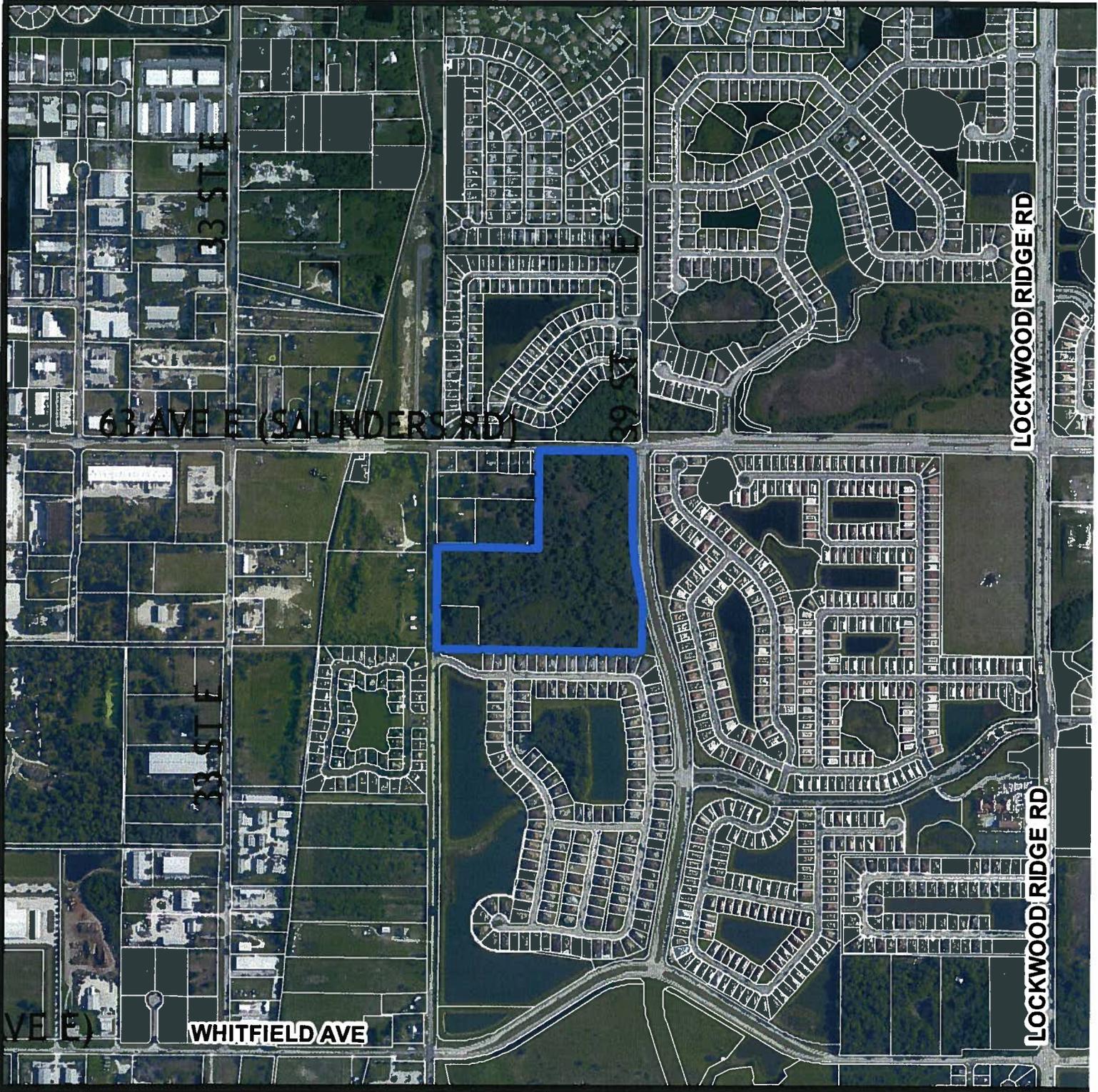
CHH: NONE  
 Watershed: NONE ( based on latest SWFWMD data)  
 Drainage Basin: RATTLESNAKE SLOUGH,GAP CREEK  
 Commissioner: Robin DiSabatino



Manatee County  
 Staff Report Map

Map Prepared 8/20/2013  
 1 inch = 894 feet

# AERIAL



Parcel ID #(s) 1871900005

Project Name: Woodlands Trace  
Project #: PDR-13-32 (Z)(P)  
DTS#: 20130279  
Proposed Use: Residential

S/T/R: Sec 21,20 Twn 35 Rng 18  
Acreage: 29.34  
Existing Zoning: A-1  
Existing FLU: RES-6  
Overlays: NONE  
Special Areas: NONE

CHH: NONE  
Watershed: NONE ( based on latest SWFWMD data)  
Drainage Basin: RATTLESNAKE SLOUGH,GAP CREEK  
Commissioner: Robin DiSabatino



Manatee County  
Staff Report Map

Map Prepared 8/20/2013  
1 inch = 894 feet

P.C. 11/14/13

**PDR-13-32(Z)(P) – DAVID & MELANIE PARRISH REZONE/WOODLANDS TRACE  
SUBDIVISION(fka Prospect Road - DTS 20130279)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 29.34 acres on the southwest corner of 63<sup>rd</sup> Avenue East and Tuttle Avenue, and east side of Prospect Road, commencing approximately 700 feet south of 63<sup>rd</sup> Avenue East (South County), from the A-1 and A-1/WPE (Suburban Agriculture - One dwelling unit per acre/Evers Reservoir Watershed Protection Overlay District) to the PDR (Planned Development Residential) zoning district, not retaining the WPE Overlay District; approving a Preliminary Site Plan for 53 single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

**P.C.: 11/14/13**

**B.O.C.C.: 12/05/13**

**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-13-32(Z)(P); **APPROVAL** of the Preliminary Site Plan with Stipulations A.1-A.3, B.1-B.6, C.1-C.2, and D.1-D.4; **ADOPTION** of the Findings for Specific Approval; and **GRANTING** Specific Approval for an alternative(s) to LDC Sections 714.8.7, 715.3.4, 740.2.6.11, 722.1.4 and 907.9.1.3, as recommended by staff.

<b>PROJECT SUMMARY</b>	
<b>CASE Number:</b>	<b>PDR-13-32(Z)(P), dts #20130279</b>
<b>PROJECT NAME</b>	<b>Woodlands Trace</b>
<b>APPLICANT(S):</b>	<b>David &amp; Melanie Parrish</b>
<b>GENERAL LOCATION:</b>	<b>Southwest corner of 63<sup>rd</sup> Avenue East and Tuttle Avenue, and east side of Prospect Road commencing approximately 700± feet south of 63rd Avenue East</b>
<b>ACREAGE:</b>	<b>29.34± acres</b>
<b>FUTURE LAND USE CATEGORY:</b>	<b>RES-6(Residential – six dwelling units per acre)</b>
<b>EXISTING ZONING:</b>	<b>PDR (Planned Development Residential)</b>
<b>PROPOSED USE(S):</b>	<b>53-lots for single-family detached residences</b>
<b>EXISTING USE:</b>	<b>Vacant land</b>
<b>SPECIAL APPROVAL:</b>	<b>N/A</b>
<b>SPECIFIC APPROVAL:</b>	<ol style="list-style-type: none"> <li><b>1. Reduced tree replacement sizes</b></li> <li><b>2. To allow one canopy tree per lot</b></li> <li><b>3. No inter-neighborhood tie</b></li> <li><b>4. Reduced pavement width to 11 feet</b></li> <li><b>5. Elimination of sidewalk along the site's frontages along 63<sup>rd</sup> Avenue East and Prospect Road.</b></li> </ol>
<b>OVERLAY DISTRICTS:</b>	<b>No longer in Evers Reservoir Watershed Protection (WPE)</b>
<b>CASE MANAGER:</b>	<b>Stephanie Moreland</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVAL</b>

## DETAILED DISCUSSION

The request is to rezone a vacant 29.34± acre site to PDR (Planned Development Residential) and approve a Preliminary Site Plan for 53 lots for single-family detached residences.

The site has frontage along three urban collector roadways; 63<sup>rd</sup> Avenue East to the north, Tuttle Avenue to the east, and Prospect Road to the west.

The site is in the RES-6 (Residential-six dwelling units per acre) Future Land Use Category (FLUC). This FLUC allows consideration of suburban or urban residential uses in the range of potential uses. The proposed 53-lot residential single-family development at a gross density of 1.82 dwelling units per acre is consistent with the RES-6 (Residential – six dwelling units per acre) FLUC.

Planned Development Residential zoning is consistent with this FLUC. PDR zoning provides greater flexibility for the project when establishing appropriate buffers and setbacks to help mitigate any potential adverse impacts on the surrounding neighborhood.

The site is currently zoned A-1 and A-1/WP-E. The intent of the A-1 zoning district is to provide for agricultural and related uses on short term agricultural lands of one acre or more. The A-1 zoning district allows one dwelling unit per acre.

The site is no longer within the boundaries of the Evers Reservoir Watershed Protection Overlay District. Information from a watershed analysis provided by the Public Works Department utilizing best available data from the Braden River Watershed Study indicates no impact to potable water sources.

The site is designed to have one access connecting Tuttle Avenue. The design shows no logical connections for an inter-neighborhood tie because the surrounding area is already developed and connection to the south (where a tie exists) would result in a potential impact to a wetland. Additionally, only one means of access is required for a 53-lot subdivision.

0.02± acres are proposed for recreational acreage. Recreational amenities include passive recreational areas.

The site has 6.10± acres of wetlands and 2.16± acres of wetland buffers. There are no impacts proposed to the wetlands.

The site is within two miles of Kinnan Elementary School. The design shows five-foot wide sidewalks along both sides of the internal roadways in the subdivision and the west side of Tuttle Avenue. No sidewalks are proposed along 63<sup>rd</sup> Avenue East and Prospect Road, due to environmental constraints (a wetland along 63<sup>rd</sup> Avenue East and a ditch along Prospect Road). The applicant has agreed to pay to the sidewalk fund an amount in lieu of

construction of the sidewalk installation to be submitted and approved by Public Works prior to the Final Site Plan and Construction Plan approvals.

Staff has the following concerns:

- The design shows four lots having reverse frontages along Prospect Road. Future residents may experience some noise impacts from vehicles traveling along Prospect Road. The site plan shows the required 20-foot wide roadway buffer and a solid fence or wall (extending from the southwest corner of Lot 21, northward to the southern tip of the stormwater pond) will be installed along Prospect Road to help alleviate noise impacts and address this concern.

The applicant requests Specific Approval for the following:

- to reduce tree replacement sizes;
- reduce the pavement width of internal private streets to 22 feet;
- to allow one canopy tree per lot;
- no inter-neighborhood tie;
- to eliminate the required sidewalk along 63<sup>rd</sup> Avenue East due to environmental constraints (wetland) and Prospect Road.

The applicant held a neighborhood meeting on October 1<sup>st</sup>, 2013. There were positive comments from those who attended.

Staff recommends approval with stipulations.

**SITE CHARACTERISTICS AND SURROUNDING AREA**

<b>DENSITY:</b>	<b>Gross - 1.82 dwelling units per acre Net – 3.54 dwelling units per acre</b>
<b>FLOOD ZONE(S):</b>	<b>A &amp; X – F.I.R.M PANEL 120153 0342C (7/15/92)</b>
<b>HURRICANE EVACUATION ZONE:</b>	<b>Level E evacuation zone</b>
<b>AREA OF KNOWN FLOODING:</b>	<b>Yes</b>
<b>UTILITY CONNECTIONS:</b>	<b>County Water and Sewer</b>

**SURROUNDING USES & ZONING**

<b>NORTH</b>	<b>Across 63<sup>rd</sup> Avenue East are single-family residences (Regal Oaks Subdivision) zoned A-1 (Suburban Agriculture – one dwelling unit per acre). Barrington Ridge, zoned PDR, is to the northeast.</b>
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<b>SOUTH</b>	<b>Single-family residences (Cascade @ Sarasota/Riomar Subdivision) zoned PDR</b>
<b>EAST</b>	<b>Across Tuttle Avenue are single-family residences (Cascades @ Sarasota) zoned PDR (Planned Development Residential)</b>
<b>WEST</b>	<b>Across Prospect Road are single-family residences (Centre Lakes Subdivision) zoned RSF-4.5 (Residential Single-Family - 4.5 dwelling units per acre) and Repair Service Establishment zoned A-1. Single-family residences are adjacent to the site on 63<sup>rd</sup> Ave. E. zoned A-1.</b>

**ENVIRONMENTAL INFORMATION**

<b>Wetland Acreage:</b>	<b>6.10± acres</b>
<b>Wetland Buffer</b>	<b>2.16± acres</b>
<b>Proposed Impact Acreage:</b>	<b>None</b>

Wetlands:

The project site contains 3 mixed forested wetlands on-site totaling 6.1 acres. The applicant is not proposing any impacts to the wetlands and is providing the required minimum 30' wetland buffers.

Uplands:

The upland portion of the site is forested with a mixture of hardwoods and conifers, mainly Live Oaks and Slash Pine. The understory has experienced historic clearing and cattle grazing, exhibits limited native species and is dominated by nuisance species. The applicant has not proposed any upland habitat preservation in addition to the minimum required wetland buffers.

Endangered Species:

According to the environmental review there were no listed species found utilizing the site or adjacent properties for nesting or for breeding purposes.

Trees

The applicant has surveyed 2 areas of trees totaling 2.22 acres and 1.85 acres, for a total of 4.07 acres. Tree counts were then extrapolated for the entire site. The results indicate a total of 504 trees excluding those in wetlands and wetland buffers. Total trees within single-family

lots are estimated at 252. Total trees to be removed outside of single-family lots are 252, with 423 replacement trees to be provided. Tree replacement will be in accordance with Section 714.8.7 of the LDC with Specific Approval to allow for smaller tree replacement sizes.

Landscaping/Buffers:

The site plan shows roadway buffers along all external roads (Tuttle Ave., 63<sup>rd</sup> Avenue East and Prospect Road) will be provided at a 20' width with the LDC required landscaping material. Perimeter greenbelt buffers around the remainder of the project boundaries will be provided at a 15' width, as required by the LDC. Landscape material within the greenbelt buffers is also proposed as required by the LDC. Final details will be reviewed and approved for these buffers with the Final Site Plan, as the PSP is only showing intent to provide LDC required buffers and plant materials.

Per the Specific Approval that staff has recommended for Section 715.3.4 – Street Trees, the applicant should provide one tree per lot per frontage. However, the applicant is proposing one tree per 52 linear feet to accommodate one tree per lot (52' wide lots).

Other landscaping components proposed with the Preliminary Landscape Plan include the screening material to be provided around the perimeter of the lift station facility next to proposed Lot 10 and "common area" street trees, which are shown on the Preliminary Landscape Plan.

**SITE DESIGN DETAILS**

<b>MINIMUM LOT SIZE(S):</b>	<b>52'x120' = 6,240 square feet</b>		
<b>SETBACKS:</b>	<b>Front</b>	<b>Side</b>	<b>Rear</b>
	<b>23'/20'*</b>	<b>6'</b>	<b>15'</b>
	<b>Wetland buffer</b>	<b>15'</b>	
	<b>Waterfront</b>	<b>30'</b>	
	*25'- foot separation between garage and edge of sidewalk. Corner lots shall provide a 20-foot setback from the structure (non-garage) to the property line adjacent to the other street.		
<b>OPEN SPACE:</b>	<b>50% or 14.37± acres</b>		
<b>RECREATIONAL ACREAGE:</b>	<b>0.02± acres</b>		
<b>ACCESS:</b>	<b>One entrance to Tuttle Avenue</b>		

**NEARBY DEVELOPMENT**

**RESIDENTIAL**

<b>Project</b>	<b>Lot /units</b>	<b>Density</b>	<b>Minimum Lot size</b>	<b>Approved</b>
<b>Center Lake Subdivision</b>	<b>61</b>	<b>3.3</b>	<b>7,000 sq. ft.</b>	<b>1986</b>
<b>Cascades @ Sarasota</b>	<b>621</b>	<b>2.48 du/acre</b>	<b>6,050 sq. ft.</b>	<b>2002</b>
<b>Barrington Ridge</b>	<b>313</b>	<b>2.18 du/acre</b>	<b>7,475 sq. ft.</b>	<b>2005</b>
<b>Fiddler's Creek</b>	<b>27</b>	<b>1.71 du/acre</b>	<b>6,840 sq. ft.</b>	<b>Pending</b>

**POSITIVE ASPECTS**

- **Nearby area is transitioning from suburban agricultural uses to single-family residential development.**
- **Proposed density is significantly less than the maximum potential density in the RES-6 FLUC.**
- **Rezone to PDR is a logical expansion of Planned Development to the south and east.**

**NEGATIVE ASPECTS**

- **Lots abutting Prospect Road may result in future residents being subjected to potential traffic noise.**

**MITIGATING MEASURES**

- **The site plan shows the required 20-foot wide roadway buffer required by the LDC and a wall or fence along Prospect Road to address this concern.**

**STAFF RECOMMENDED STIPULATIONS**

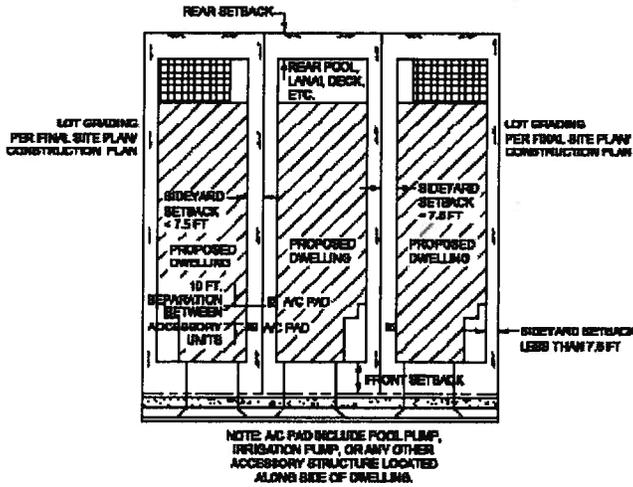
**A. DESIGN AND LAND USE CONDITIONS:**

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 shall include language to inform prospective homeowners of the presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.**

2. Walls or fences within roadway or perimeter buffers shall be measured from the finished grade of the adjacent roadway or lot (exclusive of any swales), whichever elevation is greater. This requirement shall be verified with a cross-section detail on the Final Site Plan.
3. All other applicable state permits shall be obtained before commencement of the development.

**B. STORMWATER CONDITIONS:**

1. This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into Pearce Drain. Modeling shall be used to determine pre-and post-development flows. Over-attenuation is not required for open space areas, upland preservation areas, wetlands and their buffers, landscape buffers, stormwater reservation, or undisturbed areas. Attenuation is not required on the stormwater flows that discharge onto and through this property from adjacent roadways, subdivisions, lands, etc.
2. Prior to Final Site Plan and Construction Plan approval, all fill within the 100 Year Floodplain shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. The 100 year compensation shall be compensated in sole use compensation areas, not dual use facilities ( i.e. stormwater attenuation and floodplain compensation), except as provided below. The applicant must demonstrate either (1) the available storage volume above the 25 Year Design High Water Level of any proposed compensation requirement or (2), provide a stormwater routing model that utilizes Pearce Drain reverse flow into the on-site lakes during a 100 year, 24 hour storm event. The volume of stormwater that backfeeds into the on-site lakes will be credited as floodplain compensation volume.
3. Prior to Final Site Plan and Construction Drawing approval, the applicant shall provide permitting and/or stormwater facilities for any offsite roadway improvements which are required for access or traffic concurrency associated with this project.
4. The applicant shall make available stormwater reservation for 63<sup>rd</sup> Avenue East at build-out condition (4-lanes) along the project frontage. Upon completion of over-sizing, dedication, or conveyance, impact fee credits shall be available to the property owner, with the final credit amounts determined in accordance with the requirements of Chapter 8 of the Land Development Code.
5. There shall be a minimum of ten (10) foot separation between accessory equipment and structures alongside adjoining houses with 6 foot side yard setbacks.



6. The applicant shall pay into the sidewalk fund an amount in lieu of installation. The actual cost estimate, in lieu of actual construction of said sidewalk, shall be to the specifications of Manatee County development standards and be based on a minimum of five feet wide and the estimated length. The quantity (total number of square yards or square feet of material) times the unit price per square yard or square feet would equal the total dollar amount.

**C. FLOODPLAIN MANAGEMENT:**

1. Prior to Final Site Plan approval, the developer to establish Base Flood Elevations for lots in the Zone A. Documentation to be submitted to the Floodplain Section for review and approval by the Building Official.
2. Vertical construction within Zone A will need to meet all floodplain management requirements.

**D. ENVIRONMENTAL CONDITIONS:**

1. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with Final Plat approval.
2. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.
3. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County 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.

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

None

**COMPLIANCE WITH LDC**

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
<b>BUFFERS</b>				
20' roadway buffer along Prospect Road, 63 <sup>rd</sup> Avenue & Tuttle Avenue	20'	Y		Shown
15' perimeter buffer	15'	Y		Shown
<b>SIDEWALKS</b>				
5' internal sidewalks	5'	Y		Shown
5' sidewalk, exterior	5'	Y		Shown along Tuttle Avenue. Specific Approval requested to not install sidewalk along the site frontage abutting 63 <sup>rd</sup> Avenue East and Prospect Road due to environmental constraints.
<b>ROADS &amp; RIGHTS-OF-WAY</b>				
50' internal rights-of-way	50'	Y		Streets to be private
24' paved roadways	22'	Y		Specific Approval required for reduced pavement width

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE**  
**Factors for Reviewing Proposed Site Plans (Section 508.6)**

**Physical Characteristics:**

The site is currently vacant pasture and has frontage along Prospect Road, 63<sup>rd</sup> Avenue East and Tuttle Avenue. There are wetlands on-site. There are no impacts proposed to the wetlands .

The site is in Flood Zones A (with no Base Flood Elevation determined - Base Flood Elevation to be determined at time of Final Site Plan submittal) and X Categories.

The site is no longer within the boundaries of the Evers Reservoir Watershed Protection Overlay District. The Zoning Atlas map indicates that the entire site is located within the Evers Watershed Protection Overlay District. The Future Land Use (FLU) Map identifies only the northeastern portion of the site within the Evers Watershed Protection Overlay District. However, watershed analysis information provided by the Public Works Department utilizing best available data from the Braden River Watershed Study indicates that this property does not impact potable water sources. Pursuant to the watershed study, the site drains to the west; and is located in the Pearce Drain Watershed. Pearce Drain drains into the Braden River downstream of the dam, thus not impacting the potable water source for the City of Bradenton at the Evers Reservoir.

As noted above, an evaluation of the topographical and watershed information indicates that the extent of the watershed district differs from what is indicated on the Official Zoning Atlas Map and the Future Land Use Map. Based on the watersheds on site, none of the water drains to the Evers Reservoir. Therefore, in accordance with LDC Section 604.1.1(6), the topographic information that has been provided by staff prevails without an amendment to the Atlas Map. Staff has determined that the Board is not required to find that there is an overriding public interest in expanding this existing use, per Comprehensive Plan Policy 2.2.2.2.5(e) because the site has been determined to be located outside of the Evers Watershed Overlay Protection Overlay District.

**Public Utilities, Facilities and Services:**

The site will be served by County water and sewer. The following indicate the Water and Wastewater Connections:

63<sup>rd</sup> Avenue East

A 4" diameter waterline is located along the south side of 63<sup>rd</sup> Avenue East and stops at the northwest corner of the property in the existing right-of-way.

A 16" diameter waterline is located along the north side of 63<sup>rd</sup> Avenue East at the northeast corner of the intersection of Tuttle avenue and 63<sup>rd</sup> Avenue East in the

existing right-of-way.

There is a 30" diameter reclaim water connection on the north side of 63<sup>rd</sup> of Avenue East in the existing right-of-way.

A gravity sewer is located along the south side of 63<sup>rd</sup> Avenue East in the existing right-of-way.

An 8" diameter force main is located on the south side of 63<sup>rd</sup> Avenue East in the existing right-of-way.

A 16" diameter force main is located on the north side of 63<sup>rd</sup> Avenue East in the existing right-of-way.

#### Prospect Road

An 8" diameter waterline is located along the east side of Prospect Road East in the existing right-of-way.

A 6" diameter force main is located on the west side of Prospect Avenue East in the existing right-of-way.

A 12" diameter force main is on the west side of Prospect Avenue East in the existing right-of-way.

#### Schools

The site is within two miles of Kinnan Elementary School (corner of Prospect Road & Tallevast Road).

#### **Compatibility:**

The site is adjacent to single-family residences to the north (Regal Oaks Subdivision), south (Riomar Subdivision) and east (Cascade At Sarasota). The site borders two large properties (with single-family residences), with five acres or more to the northwest zoned A-1 (Suburban Agriculture). Staff recommends language be included in the Notice to Buyers informing future residents of the potential presence of neighboring agricultural uses. The proposed use is compatible and consistent with the existing residential development patterns nearby. The design shows only seven lots adjacent to the large lots. The lots are separated by a 15-foot wide landscape buffer

#### **Transitions:**

The site is in an area which is transitioning from suburban agricultural uses to residential developments. Timing of the request appears appropriate with the growing residential trends in the area.

**Design Quality:**

The one-phased project consists of 53 lots for single-family detached residences at a density of 1.82 dwelling units per acre. The minimum lot size proposed is 6,240 square feet with a minimum lot width of 52 feet. All lots are arranged to have frontage from the internal roadways. The following chart indicates minimum proposed setbacks for the project:

<b>Use/Type</b>	<b>Front</b>	<b>Side</b>	<b>Rear</b>
Single-family detached	23'/20'*	6'	15'
Wetland buffer	15'		
Waterfront	30'		

\*A 25-foot separation is required between the garage and edge of sidewalks. Corner lots shall provide a 20-foot setback from the structure (non-garage) to the property line adjacent to the other street.

**Streets, Drives, Parking and Service Areas:**

Except for the pavement width, the proposed internal streets are to be constructed to County standards and proposed to be private. The applicant is requesting Specific Approval for a reduced roadway pavement width of 22 feet.

**Pedestrian Systems:**

The site is within two miles of Kinnan Elementary School. The design shows five-foot wide sidewalks along both sides of the internal roadways in the subdivision and the west side of Tuttle Avenue. No sidewalks are proposed along 63<sup>rd</sup> Avenue East and Prospect Road, due to environmental constraints (a wetland along 63<sup>rd</sup> Avenue East and a ditch along Prospect Road). The applicant has agreed to pay into the sidewalk fund an amount in lieu of installation to be determined by Public Works.

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

There are 6.10± acres of wetlands and 2.25± acres of wetland buffers. No impact to the wetland is proposed. There are no known historical or archaeological resources on-site.

**Density:** A density of 1.82 is consistent and below the allowable potential density (six) for the RES-6 FLUC.

**Height:**

The maximum 35-foot height should not create any external impacts that would adversely affect the surrounding development.

**Fences and Screening:**

The site plan shows a fence or wall will be installed along Prospect Road. Landscaping shall be on the exterior side of the fence. A 15-foot wide perimeter buffer and 20-foot wide roadway buffers with landscaping in accordance with LDC Section 715 are proposed for screening.

**Trash and Utility Plant Screens:**

Single-family residences will be served by individual can pick-up to be reviewed with the future Final Site Plan.

**Signs:**

All signs will be reviewed with future Final Site Plan and Building Permits.

**COMPLIANCE WITH COMPREHENSIVE PLAN**

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

**Policy 2.1.2.7 Appropriate Timing.** The timing is appropriate given development trends in the area. The surrounding area is characterized mostly by residential developments.

**Policy 2.2.1.12.1 Intent.** The site is intended for a low density urban or a clustered low-moderate density urban, residential environment.

**Policy 2.2.1.12.2 Range of Potential Uses.** Suburban or urban residential uses are in the range of potential uses.

**Policy 2.6.1.1 Compatibility.** The Preliminary Site Plan design is compatible with surrounding development because the uses proposed, lot sizes, and setbacks are comparable with surrounding development.

**Policy 2.6.5.4 Preserve/Protect Open Space.**

The site plan shows approximately 50% open space (14.37± acres). 25% or 7.33± acres of open space is required.

**TRANSPORTATION**

**Major Transportation Facilities**

The site is designed to have access onto Tuttle Avenue, a two-lane collector.

**Transportation Concurrency**

Transportation Concurrency was evaluated as part of the review of this project. The applicant prepared a Traffic Impact Statement (TIS) to determine impacts to the segment of Tuttle Avenue, including the adjacent intersection, near the project site. The results of the TIS, which were reviewed and approved by the Transportation Planning Division, indicated that the impacted roadway segment is expected to operate above the level of service (LOS) "D" performance standard with project-related traffic and with no off-site concurrency-related improvements being required for the project (see Certificate of Level of Service Compliance table below).

**Access**

In conjunction with transportation concurrency, a review of access issues was undertaken by County staff. The project is designed to have one access onto Tuttle Avenue which will provide for full turning movements.

The results of the access review indicated that a site-related improvement will be required for the project. This improvement, which is required to address safety and operations concerns, will involve an exclusive northbound left-turn lane along Tuttle Avenue at the project driveway.

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

**TRANSPORTATION CONCURRENCY**

CLOS APPLIED FOR: YES  
 TRAFFIC STUDY REQ'D: YES

NEAREST THOROUGHFARE	LINK	ADOPTED LOS	FUTURE LOS (W/PROJECT)
Tuttle Avenue	63 <sup>rd</sup> Avenue E. to Whitfield Avenue E. (Link #3203)	D	C

In summary, the results of the traffic study review identified no off-site concurrency improvements. However, a site-related improvement (i.e., a northbound left-turn lane

**along Tuttle Avenue at the project driveway) is required.**

## **OTHER CONCURRENCY COMPONENTS**

Solid waste landfill capacity, parks needs, and preliminary drainage intent have been reviewed with this Preliminary Site Plan. School capacity, potable water and waste water will be reviewed at the time of Final Site Plan/Construction Drawings.

## **SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS**

### **1. Request:**

LDC Section 714.8.7 requires replacement tree calipers to be three, five, or seven inches depending on the size of the tree removed. The request is to allow replacement tree calipers to be three or four inches.

#### **Staff Analysis and Recommendation:**

Staff is in support of the request for Specific Approval for an alternative to Section 714.8.7 of the LDC to allow replacement tree sizes at 3"4"4" instead of 3"5"7". Staff believes that smaller size trees typically establish and grow faster. Therefore, they provide more tree canopy sooner. The LDC is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 (Tree Protection).

#### **Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 714.8.7, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required number of trees and canopy will be provided.

### **2. Request**

LDC Section 715.3.4 requires one (1) canopy tree every fifty (50) linear feet along rights-of-way in residential developments, to allow for one canopy tree per lot per frontage.

#### **Staff Analysis and Recommendation:**

Staff is in support of the request for Specific Approval for an alternative to LDC Section 715.3.4 to allow only one tree per lot per frontage instead of one per 50 linear feet, as more than one tree on narrow lots creates conflicts between the trees and infrastructure. This alternative avoids these conflicts from occurring.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.4, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required number of trees and canopy will be provided.

**3. Request:**

LDC Section 722.1.4 requires a five-foot wide sidewalk along the north and west sides of all new or existing public streets within the rights-of-way, which are contiguous to the subject development. The applicant requests the elimination of the sidewalk along the east side of Prospect Road and south side of 63<sup>rd</sup> Avenue East.

**Staff Analysis and Recommendation:**

No sidewalks are proposed due to environmental constraints; a wetland along 63<sup>rd</sup> Avenue East and a ditch along Prospect Road. Rather, the applicant has agreed to pay to the sidewalk fund an amount in lieu of construction of the sidewalk installation to be submitted and approved by Public Works prior to the Final Site Plan and Construction Plan approvals.

**4. Request:**

Per LDC Section 740.2.6.11, all private streets shall have a minimum pavement width of twenty-four (24) feet. The applicant requests pavement widths of 22 feet.

**Staff Analysis and Recommendation:**

According to the applicant, the proposed modification allows for design flexibility along the project's privately-maintained roadways while providing the minimum 50-foot right-of-way width and requisite sidewalk system. The request is necessary due to site constraints including on-site wetland preserves and the floodplain compensation area.

The reduced pavement width will serve to increase the pervious or green area within the project's right-of-way, reducing run-off generated from impervious surfaces. The reduced drive lane will be adequate for local traffic at low speeds. The narrow drive lanes will serve as a traffic calming effect to encourage slower driving.

Staff supports this request because the proposed internal streets are private. The right-of-way widths of 50 feet will provide adequate width for utilities, slopes, setbacks, drainage, and highway design elements. Should the applicant or HOA ever request the internal streets be turned over to the county, the streets would need to be constructed or brought up to LDC requirements with pavement widths of 24-feet.

**Finding for Specific Approval:**

Notwithstanding, the failure of this plan to comply with the requirements of LDC Section 740.2.6.11, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because the roads will be private providing adequate drive lane widths for traffic calming.

**5. Requests:**

LDC Section 907.9.1.3 requires the extension of local streets to the property limits of the subdivision to complete the existing inter-neighborhood road system ties. The applicant requests no connection to an existing inter-neighborhood tie.

**Staff Analysis and Recommendation:**

The design avoids impact to a wetland in the southern part of the site where an inter-neighborhood connection exists in the Rio Mar Subdivision to the south. No inter-neighborhood ties are proposed or required because the applicant is proposing a private gated community with private streets.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.1.3, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because no impacts to an on-site wetland is proposed.

**ATTACHMENTS**

- 1. Applicable Comprehensive Plan Policies**
- 2. Request for Specific Approval**
- 3. Zoning Disclosure Affidavit**
- 4. 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

Review all proposed development for compatibility and appropriate timing. This analysis shall include:

- 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
- applicable specific area plans
- (See also policies under Objs. 2.6.1 - 2.6.3)

Policy: 2.2.1.12

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

Policy: 2.2.1.12.1

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

urban areas.

Policy: 2.2.1.12.2

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

Policy: 2.2.1.12.3

Range of Potential Density/Intensity:

Maximum Gross Residential Density:  
6 dwelling units per acre

Minimum Gross Residential Density: 5.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "affordable housing".

Maximum Net Residential Density:  
12 dwelling units per acre

16 dwelling units per acre within the CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing".  
(except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.4 and 4.3.1.5)

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: 2.2.1.12.4

Other Information:

- a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.
- b) All projects for which gross residential density exceeds 4.5 dwelling units per acre, or in which any net residential density exceeds 6 dwelling units per acre shall require special approval.

- c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.
- d) Professional office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, and detailed in the Land Use Operative Provisions Section E (1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).

Policy: 2.6.1.2

Require the use of planned unit development, in conjunction with the mitigation techniques described in policy 2.6.1.1, for projects where project size requires the submittal of a site development plan in conformance with the special approval process in order to achieve compatibility between these large projects and adjacent existing and future land uses.

Policy: 2.6.1.2

Require the use of planned unit development, in conjunction with the mitigation techniques described in policy 2.6.1.1, for projects where project size requires the submittal of a site development plan in conformance with the special approval process in order to achieve compatibility between these large projects and adjacent existing and future land uses.



# WALDROP ENGINEERING

CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS

29100 BONITA GRANDE DR. #805  
BONITA SPRINGS, FL 34135  
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August 22, 2013

The Honorable Larry Bustle, Chair  
Manatee County Board of County Commissioners  
1112 Manatee Avenue West  
Bradenton, FL 34205

**RE: Project Name: Woodlands Trace**  
**Application Type: PDR Rezone with Preliminary Site Plan**

Chairman Bustle:

On behalf of Neal Communities of Southwest Florida, LLC, we respectfully request your approval of the following Specific Approvals to the Manatee County Land Development Code (LDC) for Preliminary Site Plans:

- 1. Specific Approval for alternative design standards to LDC Sec. 907.9.2.4, which requires a minimum pavement width of 12 feet per travel lane to allow for a minimum pavement width of 11 feet per travel lane.**

The proposed modification will allow for design flexibility along the project's privately-maintained roadways, while providing the minimum 50-foot right-of-way width and requisite sidewalk system. The proposed specific approval is requested based upon the various site constraints including the numerous on-site wetland preserves and the floodplain compensation area.

The reduced pavement width will serve to increase the pervious or "green" area within the project's right-of-way; thereby reducing run-off generated from impervious surfaces. The reduced travel lane widths will also provide a traffic calming effect within the community; thereby upholding public health, safety and welfare measures.

- 2. Specific Approval for alternative design standards to LDC Section 714.8.7, which requires replacement trees to be provided at calipers 3"/5"/7" depending upon the existing tree size, to allow for replacement trees at calipers 3"/4"/4".**

The proposed specific approval will be consistent with the pending LDC amendment to reduce the minimum required calipers of replacement trees. The smaller tree caliper is intended to ensure the survivability of the replacement tree, and has been approved for several projects in recent history.

- 3. Specific Approval for alternative design standards to LDC Section 715.3.4, which requires one (1) canopy tree every fifty (50) linear feet along rights-of-way in residential developments, to allow for one (1) canopy tree per lot.**

The applicant is proposing one (1) tree per lot to ensure the survivability of the required street trees. The proposed specific approval will provide one (1) street per 52' based upon the Applicant's proposed minimum lot width, as opposed to one per 50'. The request is very nominal in nature and will serve to mitigate long-term maintenance issues associated with the prescribed canopy trees.

- 4. Specific Approval for alternative design standards to LDC Section 907.9.1.3, which requires the extension of local streets to the property limits of the subdivision to complete the existing inter-neighborhood road system ties, to omit an inter-neighborhood connection to Rio Mar to the south.**

The interconnection street stub in the Rio Mar community to the south abuts an on-site wetland within the subject property that is proposed for preservation in accordance with the LDC and Comprehensive Plan. Therefore, the interconnection cannot be made without impacting environmentally sensitive areas on-site. Further, the Applicant is proposing a gated community with privately maintained internal streets, and an interconnection would not be appropriate. Lastly, the intent of the interconnection is to eliminate trips on the surrounding arterial and collector roadway network. However, Rio Mar is a single-use residential community that offers no public or non-residential destinations for future residents of the Woodland Tract community. Therefore, the interconnection would not significantly reduce trips onto Tuttle Ave. and/or Prospect Rd.

ZONING DISCLOSURE AFFIDAVIT

B4

File Number \_\_\_\_\_

File Name \_\_\_\_\_

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.

NAME, ADDRESS AND OFFICER

PERCENTAGE STOCK, INTEREST OR OWNERSHIP

Check if owner ( ) or contract purchaser (X)

Neal Communities of Southwest Florida, LLC

100%

Patrick K. Neal, President

5800 Lakewood Ranch Blvd., Sarasota, FL 34240

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

Signature:

(Applicant):

JAMES R. SCHIER, VP

STATE OF FLORIDA  
COUNTY OF FLORIDA

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 10th day of July, 2013 by JAMES R. SCHIER, who is personally known to me or who has produced as identification.

(type of identification)

Signature:

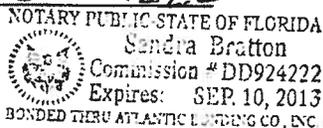
My Commission Expires:

Commission No:

Sandra Bratton

9/10/13

DD924222



SANDRA BRATTON

Print or type name of Notary

Title or Rank

Copy of Newspaper Advertising

Bradenton Herald

Sarasota Herald Tribune

**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, November 14, 2013 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 matters:

**PDR-13-31(Z)(P) - M/I HOMES OF TAMPA, LLC/BROOKSIDE ESTATES (FKA M/I HOMES-UMRR/LEGLER-FLYNN REZONE) (DTS #20130263)**

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 40.19 ± acres located approximately two miles north of SR 64 on the south side of Upper Manatee River Road, and one mile east of the curve at 13010 Upper Manatee River Road, Parrish, from A (General Agriculture) to the PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 63 residential lots for 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.

**PDR-13-32(Z)(P) - DAVID & MELANIE PARRISH REZONE/WOODLANDS TRACE SUBDIVISION (fka PROSPECT ROAD - DTS 20130279)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 29.34 acres on the southwest corner of 63rd Avenue East and Tuttle Avenue, and east side of Prospect Road, commencing approximately 700 feet south of 63rd Avenue East (South County), from the A-1 and A-1/WPE (Suburban Agriculture -

One dwelling unit per acre/Evers Reservoir Watershed Protection Overlay District) to the PDR (Planned Development Residential) zoning district, not retaining the WPE Overlay District; approving a Preliminary Site Plan for 53 single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

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, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: [planning.agenda@mymanatee.org](mailto: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  
**10/30/2013**

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**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



**MANATEE COUNTY  
FLORIDA**

November 6, 2013

Mark A. Laureto  
6410 41<sup>st</sup> Court East  
Sarasota, Florida 34243

Dear Mr. Laureto:

On behalf of the Board of County Commissioners, thank you for your letter of November 5, regarding the proposed Woodlands Trace Subdivision, application # PDR-13-32 (Z)(P). This application is considered quasi-judicial. That means it is treated similar to a court proceeding with the commissioners setting as the judge. Board members are not permitted to discuss the issue with anyone for or against the issue, except during the formal public hearing process conducted by the Board.

Your letter will be entered into the record for the Board of County Commissioners public hearings for their consideration. You are encouraged to attend such hearings and offer your comments to the Board directly. Please know that your input is very important to them and your active participation in the political process is always welcome.

Sincerely,

Yvonne C. Tryon, Executive Assistant  
Manatee County Government  
Board of County Commissioners

cc: The Honorable Manatee County Commissioners  
Mitchell O. Palmer, County Attorney  
John Barnott, Director, Building and Development Services

Board of County Commissioners  
Address: P. O. Box 1000 Street Address: 1112 Manatee Avenue West, Bradenton, FL 34206-1000  
WEB: [www.mymanatee.org](http://www.mymanatee.org) \* PHONE: 941.745.3700 \* FAX: 941.745-3790

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LARRY BUSTLE \* MICHAEL GALLEN \* JOHN R. CHAPPIE \* ROBIN DISABATINO \* VANESSA BAUGH \* CAROL WHITMORE \* BETSY BENAC  
District 1      District 2      District 3      District 4      District 5      District 6      District 7

11/5/13

RECEIVED

NOV 06 2013

Board of County Commissioners  
Manatee County

Dear County Board,

I have several concerns with the PDR-13-32(2)P application filed by David Parnish / Kendra Jane Whitehead.

① Where is the entrance<sup>(s)</sup> for the development? I would like to see the entrance be placed on 63 Ave and not on Tuttle. There is already an entrance on Tuttle for "Riomar" with plenty of activity on Tuttle. In fact, it is often used as a "dragway."

② I would also like to see a tree barrier as well as a wall on Tuttle so as to retain some sense of privacy.

Thank you for your consideration.

Sincerely,  
Mark A Parnish  
6410 41st Ct E  
Sarasota, FL  
34243  
(Cascades)

Date: October 30, 2013

Dear Adjacent Property Owner:

**Re: Application:** PDR-13-32(Z)(P) – David & Melanie Parrish Rezone / Woodlands Trace Subdivision (fka Prospect Road – DTS20130279)

**Filed by:** David Parrish / Kendra Jane Whitehead

**Request:** Rezone of 29.34± acres from A-1 and A-1/WPE (Suburban Agriculture – one dwelling unit per acre/Evers Reservoir Watershed Protection Overlay District) to the PDR (Planned Development Residential) zoning district, not retaining the WPE Overlay District and approving a Preliminary Site Plan for 53 single-family detached residences.

**Location:** Southwest corner of 63<sup>rd</sup> Avenue East and Tuttle Avenue, and east side of Prospect Road, commencing approximately 700 feet south of 63<sup>rd</sup> Avenue East (South County). (ZONING MAP ATTACHED)

**For more information please call:**

**CASE PLANNER: Stephanie Moreland PHONE # 941 -748 - 4501 EXT: 3880**

The Manatee County Planning Commission will hold a public hearing to consider this request and forward a recommendation to the Board of County Commissioners:

**Date:** Thursday, November 14, 2013  
**Time:** 9:00 A.M.  
**Location:** Board of County Commissioners Chambers  
Manatee County Administrative Center, 1st Floor  
1112 Manatee Avenue West  
Bradenton, Florida 34205

The Manatee County Board of County Commissioners will hold a public hearing to consider and act upon the application:

**Date:** Thursday, December 5, 2013  
**Time:** 9:00 A.M.  
**Location:** Board of County Commissioners Chambers  
Manatee County Administrative Center, 1st Floor  
1112 Manatee Avenue West  
Bradenton, Florida 34205

**HEARINGS MAY BE CONTINUED FROM TIME TO TIME**

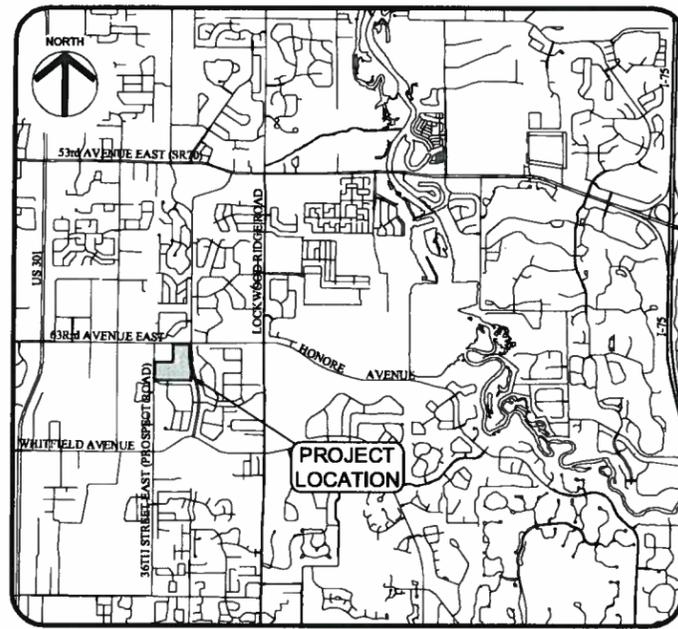
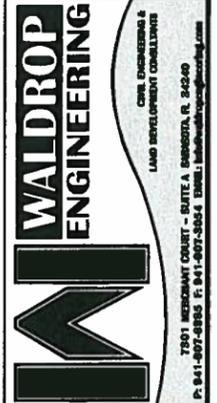
You and any other interested parties are invited to appear at these hearings and express your opinions, subject to proper rules of conduct. Additionally, you may send comments to the Director of the Building and Development Services. These comments will be heard and considered by the Planning Commission and Board of County Commissioners and entered into the record. Please present your concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission public hearing will be the primary basis for the final decision by the Board of County Commissioners.

Rules of Procedure for these public hearings [R13-189(PC)] are available for review or purchase, at cost, from the Building and Development Services Department.

# PRELIMINARY SITE PLAN SUBMITTAL

## WOODLANDS TRACE

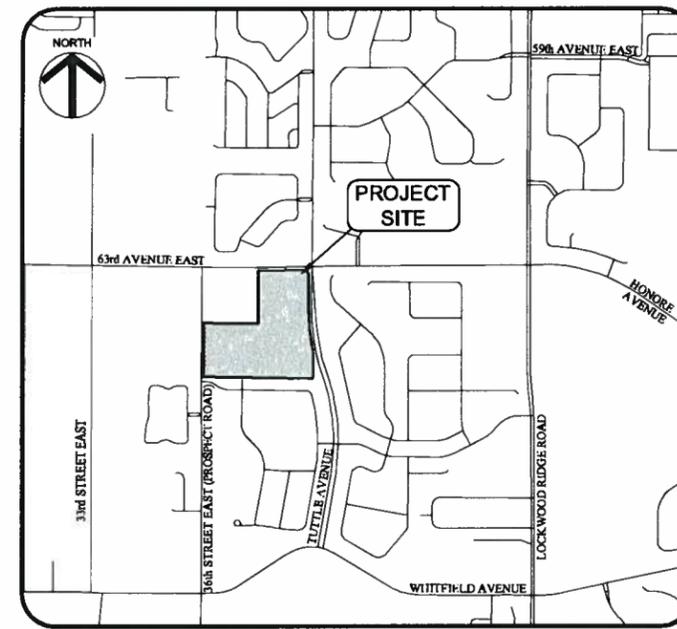
PART OF SECTION 20, TOWNSHIP 35 SOUTH, RANGE 18 EAST  
MANATEE COUNTY, FLORIDA



PROJECT LOCATION MAP  
SCALE: 1" = 3000'

SHEET INDEX	
1	COVER SHEET
2	AERIAL SITE PLAN
3	PRELIMINARY SITE PLAN
4	PRELIMINARY SITE PLAN
5	PAVING, GRADING, DRAINAGE, AND UTILITY PLAN
6	PAVING, GRADING, DRAINAGE, AND UTILITY PLAN
7	TYPICAL SECTIONS AND DETAILS
LANDSCAPE PLANS	
1	COVER SHEET
2	PRELIMINARY SITE LANDSCAPE PLAN
3	PRELIMINARY SITE LANDSCAPE PLAN
4	LANDSCAPE DETAILS
5	LANDSCAPE NOTES & SCHEDULE

**PROPERTY DESCRIPTION**  
OVERALL DESCRIPTION  
THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, LESS THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, AND LESS, ROAD RIGHT-OF-WAY CONVEYED TO MANATEE COUNTY AS DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1893, PAGE 6893, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SECTION 20, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "PRA PSA #6982" MARKING THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, AS SHOWN ON CASCADES OF SARASOTA PHASE II, RECORDED IN PLAT BOOK 45, PAGE 41 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N. 89° 05' 18" W., ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 35 SOUTH, RANGE 18 EAST, A DISTANCE OF 1348.98 FEET TO A 4"x4" CONCRETE MONUMENT (NO IDENTIFICATION) MARKING THE EAST MAINTAINED RIGHT-OF-WAY LINE OF PROSPECT ROAD (6TH STREET EAST); THENCE N. 00° 11' 37" E., ALONG SAID EAST MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 658.00 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20; THENCE S. 89° 24' 14" E., ALONG SAID NORTH LINE, A DISTANCE OF 665.52 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20; THENCE N. 00° 01' 22" W., ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, A DISTANCE OF 645.09 FEET TO THE SOUTH MAINTAINED RIGHT-OF-WAY LINE OF 63RD AVENUE EAST (GAULDERS ROAD); THENCE N. 88° 53' 12" E., ALONG SAID SOUTH MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 560.82 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES 5.01' 1220'E., A RADIAL DISTANCE OF 50.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC AND ALONG THE WEST RIGHT-OF-WAY LINE OF TUTTLE AVENUE (120' WIDE PUBLIC RIGHT-OF-WAY), AS RECORDED IN OFFICIAL RECORDS BOOK 1893, PAGE 6839 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THROUGH A CENTRAL ANGLE OF 91° 00' 10", A DISTANCE OF 79.41 FEET; THENCE S. 00° 12' 10" E., CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 406.02 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 2,589.00 FEET AND A CENTRAL ANGLE OF 12° 21' 33"; THENCE SOUTHERLY ALONG THE ARC AND SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 558.47 FEET TO A 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "PRA PSA #6982", MARKING THE NORTHERN MOST CORNER OF TRACT "C" AS SHOWN ON SAID CASCADES AT SARASOTA PHASE II; THENCE S. 00° 12' 10" E., ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 318.35 FEET TO THE POINT OF BEGINNING.  
CONTAINING 1,278,052.08 SQUARE FEET OR 29.34 ACRES, MORE OR LESS.  
SUBJECT TO PERTINENT EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD, IF ANY.



PROJECT SITE MAP  
NO SCALE

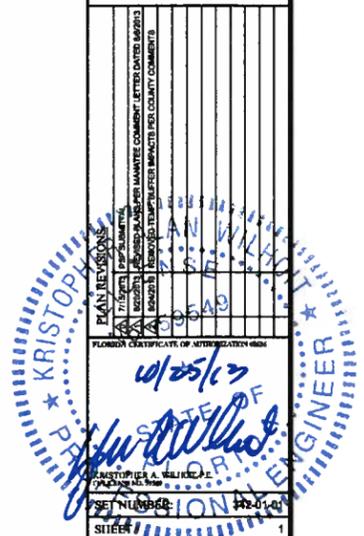
SITE DATA	
OWNER	NEAL COMMUNITIES
PARCEL NUMBER	1871900005 & 1871900054
ZONING	PDR, A-1
FUTURE LAND USE	RES-6 (VACANT LAND)
PROPOSED LAND USE	PDR
PROJECT AREA	29.34 ACRES
IMPERVIOUS AREA (BUILDING, ROADWAY, AND SIDEWALK ETC.)	6.45 ACRES
OPEN SPACE:	
LAKE AREA @ CWL	2.61 ACRES @ CWL
WETLAND	6.10 ACRES
WETLAND BUFFER	2.25 ACRES
OTIHER OPEN SPACE	5.10 ACRES
TOTAL OPEN SPACE	14.37 ACRES = 49.98% OPEN SPACE
GROSS DENSITY	53 UNITS / 28.108* ACRES = 1.82 UNITS PER ACRE
NET DENSITY	53 UNITS / 14.97 ACRES = 3.54 UNITS PER ACRE
* PER FLUE POLICY 2.3.1.2 WETLAND AREAS EXCEEDING 20% OF GROSS PROJECT ACREAGE ARE SUBJECT TO DENSITY REDUCTION.	

**NEAL COMMUNITIES**  
Building. Home. Life.

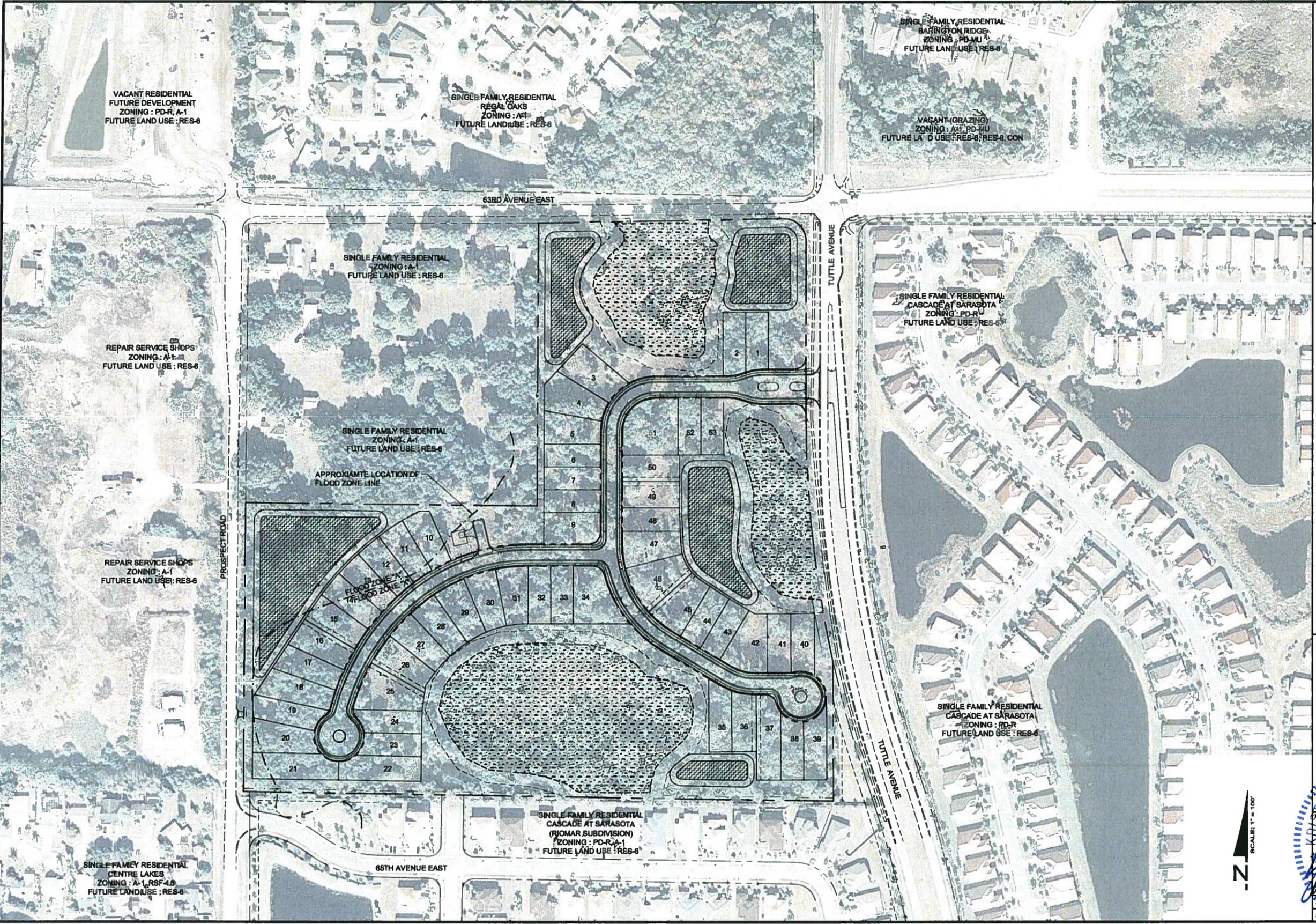
DEVELOPED BY:

**NEAL COMMUNITIES**  
5800 LAKEWOOD RANCH BOULEVARD  
SARASOTA, FLORIDA 34240  
PHONE: (888) 720-4429 FAX: (941) 328-1100

**WOODLANDS TRACE**  
CLIENT: NEAL COMMUNITIES  
COVER SHEET



THALES | Project: 1804000001-01 Preliminary Site Plan/Community Development  
10/20/2013 10:11:28 AM



CIVIL ENGINEERING &  
LAND DEVELOPMENT CONSULTING  
7201 MERCHANT COURT - SUITE A SARASOTA, FL 34230  
P: 941-807-8855 F: 941-807-8854 EMAIL: info@wdropout.com

# WOODLANDS TRACE

CLIENT: NEAL COMMUNITIES  
AERIAL SITE PLAN

SCALE: 1" = 100'

FRAN REVISIONS

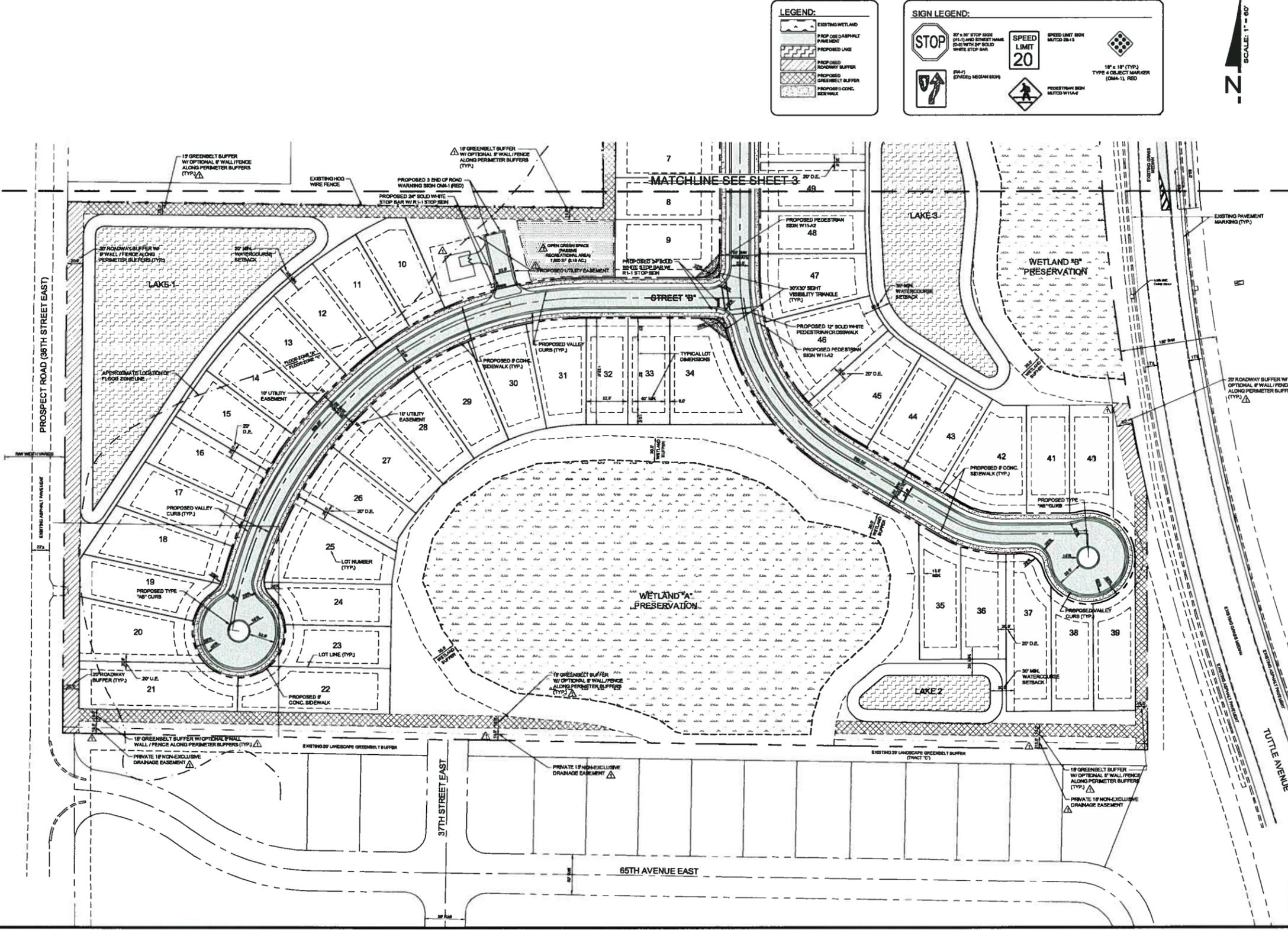
NO.	DATE	DESCRIPTION
1	10/20/13	PRELIMINARY

ALAN WALHOIT  
LICENSED PROFESSIONAL ENGINEER  
STATE OF FLORIDA  
20125104

REGISTERED PROFESSIONAL ENGINEER  
STATE OF FLORIDA  
ALAN WALHOIT, P.E.  
LICENSE NO. 20125104  
SEAL NUMBER: 20125104  
SITING: 1804000001-01



15:00:01 Proposed (AutoCAD) 11/11/17 11:00:01 11/11/17 11:00:01 11/11/17 11:00:01



**LEGEND:**

- EXISTING WETLAND
- PROPOSED ASPHALT PAVEMENT
- PROPOSED LAKE
- PROPOSED ROADWAY BUFFER
- PROPOSED GREENBELT BUFFER
- PROPOSED CONC. SIDEWALK

**SIGN LEGEND:**

- STOP
- 20' x 20' STOP SIGN (S-1) AND STREET NAME (S-2) WITH 20' SOLID WHITE STOP BAR
- PROPOSED DIVIDED MEDIAN SIGN (M-1)
- SPEED LIMIT 20
- SPEED LIMIT SIGN MUTCD 8B-1
- 18" x 18" (TYP.) TYPE 4 OBJECT MARKER (OM-1), RED
- PEDESTRIAN SIGN MUTCD W11A-2

SCALE: 1" = 60'

**WALDROP ENGINEERING**

CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTING

7801 MERRIMANT COURT - SUITE A, MARIETTA, GA 30067  
P: 404-877-8185 F: 404-877-8664 EMAIL: info@waldropeng.com

**WOODLANDS TRACE**  
CLIENT: NEAL COMMUNITIES  
PRELIMINARY SITE PLAN

PLAN REVISIONS

NO.	DATE	DESCRIPTION
1	11/11/17	ISSUED FOR PERMITS
2	11/11/17	ISSUED FOR PERMITS
3	11/11/17	ISSUED FOR PERMITS
4	11/11/17	ISSUED FOR PERMITS
5	11/11/17	ISSUED FOR PERMITS
6	11/11/17	ISSUED FOR PERMITS
7	11/11/17	ISSUED FOR PERMITS
8	11/11/17	ISSUED FOR PERMITS
9	11/11/17	ISSUED FOR PERMITS
10	11/11/17	ISSUED FOR PERMITS
11	11/11/17	ISSUED FOR PERMITS
12	11/11/17	ISSUED FOR PERMITS
13	11/11/17	ISSUED FOR PERMITS
14	11/11/17	ISSUED FOR PERMITS
15	11/11/17	ISSUED FOR PERMITS
16	11/11/17	ISSUED FOR PERMITS
17	11/11/17	ISSUED FOR PERMITS
18	11/11/17	ISSUED FOR PERMITS
19	11/11/17	ISSUED FOR PERMITS
20	11/11/17	ISSUED FOR PERMITS
21	11/11/17	ISSUED FOR PERMITS
22	11/11/17	ISSUED FOR PERMITS
23	11/11/17	ISSUED FOR PERMITS
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47	11/11/17	ISSUED FOR PERMITS
48	11/11/17	ISSUED FOR PERMITS
49	11/11/17	ISSUED FOR PERMITS

SET NUMBER: 1442-0101  
SHEET: 18



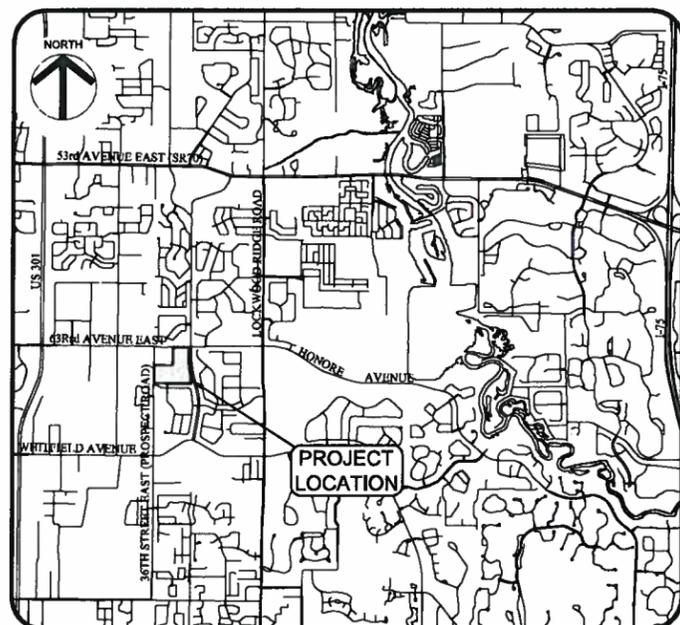






# PRELIMINARY SITE LANDSCAPE PLANS FOR WOODLANDS TRACE

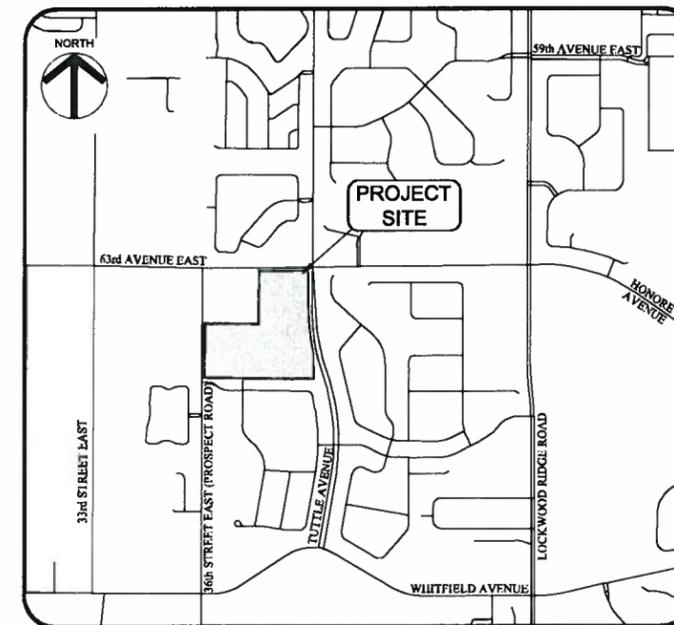
PART OF SECTION 20, TOWNSHIP 35 SOUTH, RANGE 18 EAST  
MANATEE COUNTY, FLORIDA



**PROJECT LOCATION MAP**  
SCALE: 1" = 3000'

SHEET INDEX	
1	COVER SHEET
2	PRELIMINARY SITE LANDSCAPE PLAN
3	PRELIMINARY SITE LANDSCAPE PLAN
4	LANDSCAPE DETAILS
5	LANDSCAPE NOTES & SCHEDULE

**PROPERTY DESCRIPTION**  
OVERALL DESCRIPTION:  
THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, LESS THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, AND LESS, ROAD RIGHT-OF-WAY CONVEYED TO MANATEE COUNTY AS DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1893, PAGE 6893, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SECTION 20, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "PRM PSM #6982" MARKING THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, AS SHOWN ON CASCADES OF SARASOTA PHASE II, RECORDED IN PLAT BOOK 45, PAGE 41 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N. 89° 05'38"W., ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 35 SOUTH, RANGE 18 EAST, A DISTANCE OF 1,343.98 FEET TO A 4"x4" CONCRETE MONUMENT (NO IDENTIFICATION) MARKING THE EAST MAINTAINED RIGHT-OF-WAY LINE OF PROSPECT ROAD (36TH STREET EAST); THENCE N. 00° 11'57"E., ALONG SAID EAST MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 658.00 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20; THENCE S. 89° 24'14"E., ALONG SAID NORTH LINE, A DISTANCE OF 665.52 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 20;  
THENCE N. 00° 01'22"W., ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, A DISTANCE OF 645.09 FEET TO THE SOUTH MAINTAINED RIGHT-OF-WAY LINE OF 63RD AVENUE EAST (GAINHORS ROAD); THENCE N. 88° 53'12"E., ALONG SAID SOUTH MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 560.82 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S. 01° 12'20"E., A RADIAL DISTANCE OF 50.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC AND ALONG THE WEST RIGHT-OF-WAY LINE OF TUTTLE AVENUE (120' WIDE PUBLIC RIGHT-OF-WAY), AS RECORDED IN OFFICIAL RECORDS BOOK 1893, PAGE 6839 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THROUGH A CENTRAL ANGLE OF 91° 00'10", A DISTANCE OF 79.41 FEET; THENCE S. 00° 12'10"E., CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 406.02 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 2,589.00 FEET AND A CENTRAL ANGLE OF 12° 21'33"; THENCE SOUTHERLY ALONG THE ARC AND SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 558.47 FEET TO A 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "PRM PSM #6982", MARKING THE NORTHERN MOST CORNER OF TRACT "C" AS SHOWN ON SAID CASCADES AT SARASOTA PHASE II; THENCE S. 00° 12'10"E., ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 21, A DISTANCE OF 318.55 FEET TO THE POINT OF BEGINNING.  
CONTAINING 1,278,052.08 SQUARE FEET OR 29.34 ACRES, MORE OR LESS.  
SUBJECT TO PERTINENT EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD, IF ANY.



**PROJECT SITE MAP**  
NO SCALE

SITE DATA	
OWNER	NEAL COMMUNITIES
PARCEL NUMBER	187190005 & 1871900054
ZONING	PDR, A-1
FUTURE LAND USE	RLS-6 (VACANT LAND)
PROPOSED LAND USE	PDR
PROJECT AREA	29.34 ACRES
IMPROVISED AREA (BUILDING, ROADWAY, AND SIDEWALK ETC.)	6.45 ACRES
OPEN SPACE:	
LAKE AREA @ CWL	2.61 ACRES @ CWL
WETLAND	6.10 ACRES
WETLAND BUFFER	2.25 ACRES
UPLAND PRESERVATION	0.49 ACRES
OTHER OPEN SPACE	4.61 ACRES
TOTAL OPEN SPACE	16.06 ACRES = 54.7% OPEN SPACE
GROSS DENSITY	53 UNITS / 29.34 ACRES = 1.81 UNITS PER ACR
NET DENSITY	53 UNITS / 10.17 ACRES = 5.21 UNITS PER ACR

**NEAL COMMUNITIES**  
Building. Home. Life.

DEVELOPED BY:

**NEAL COMMUNITIES**

5800 LAKEWOOD RANCH BOULEVARD  
SARASOTA, FLORIDA 34240

PHONE: (888) 720-4429 FAX: (941) 328-1100

**WOODLANDS TRACE**

CLIENT: NEAL COMMUNITIES

COVER SHEET

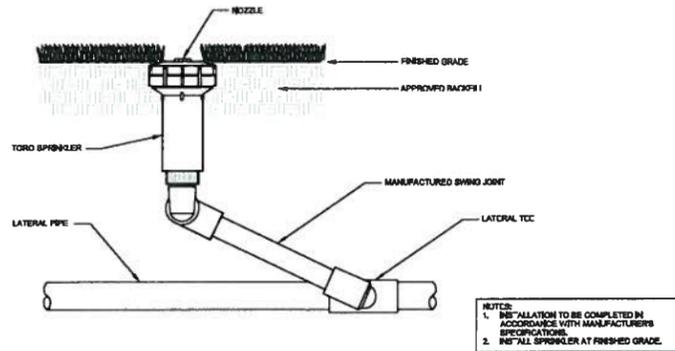
PLAN REVISIONS	NO.	DATE	BY	DESCRIPTION

13 FEDERAL CERTIFICATE OF AUTHORIZATION AND

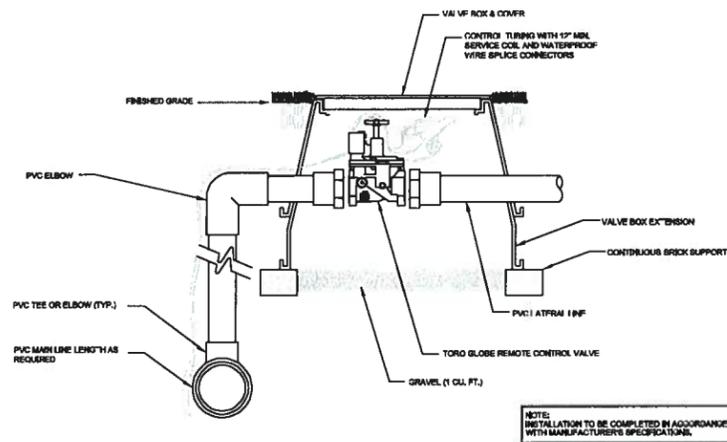
WILLIAM H. BOWERS  
OCT 29 2013  
SET NUMBER: 342-01-01  
SHEET: L.A. #0000785

L:\081616 - Transmitted Project Files\081616-01 - Woodlands Trace (PDR) - Project\081616-01-01-01 - Landscape PDR\081616-01-01-01-01.dwg  
2/23/2013 12:52:50 PM

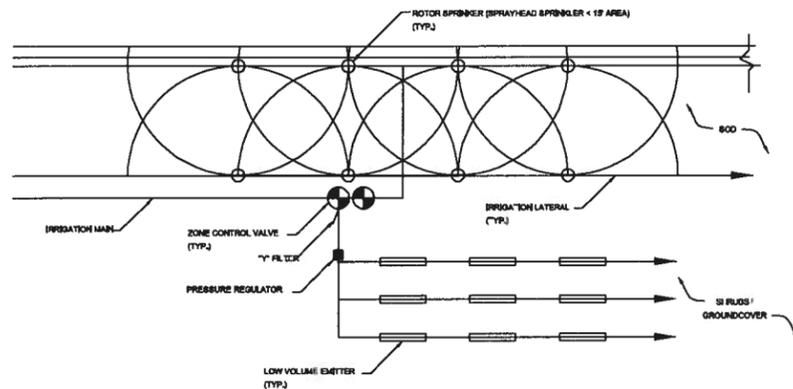




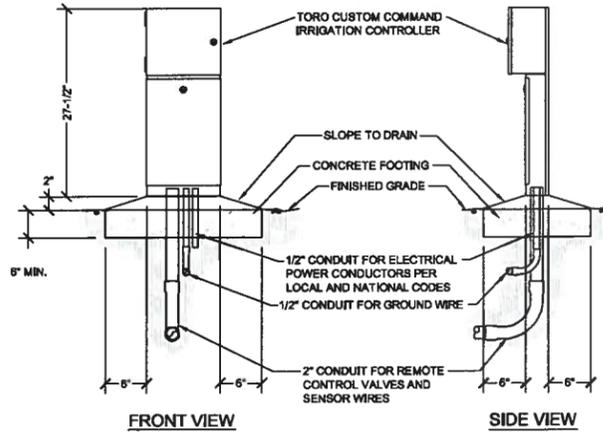
**C** FIXED-SPRAY SPRINKLER (TORO 570Z SHOWN)  
SCALE: N.T.S.



**B** VALVE (TORO 220 SERIES SHOWN)  
SCALE: N.T.S.



**A** TYPICAL IRRIGATION DETAIL  
SCALE: N.T.S.



**D** PEDESTAL-MOUNT CONTROLLER (TORO CONTROLLER SHOWN)  
SCALE: N.T.S.

**GENERAL IRRIGATION NOTES:**

1. AN OPERABLE RAIN SENSOR DEVICE EXPOSED TO UNOBSTRUCTED RAINFALL.
2. IRRIGATION SOURCE: RFD AMFD WATER.
3. IRRIGATION SYSTEM: TORO METERS AND LAYOUTS TO BE INSTALLED AT TIME OF HOME CONSTRUCTION.
4. TREES AND SHRUBS TO BE IRRIGATED WITH MICRO DRIP IRRIGATION. IRRIGATION LINES SHALL NOT BE INSTALLED DESTROYING EXISTING TREE ROOTS AND NATIVE VEGETATION.
5. ALL METHODS OF IRRIGATION SHALL CONFORM TO MANATEE COUNTY IRRIGATION DESIGN STANDARDS.
6. CONTRACTOR TO VERIFY SIZE AND LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING CONSTRUCTION.
7. MINIMUM COVER FOR ALL UTILITIES SHALL BE MEASURED FROM FINISHED GRADES. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE MINIMUM COVER, REGARDLESS OF GRADE.
8. CONTRACTOR SHALL CONSTRUCT ALL IRRIGATION APPURTENANCES INCLUDING METER BOXES, BLOWOFFS, VALVE BOXES, AIR RELEASE VALVES, FIRE HYDRANTS, ETC. TO FINISHED GRADE. CONTRACTOR SHALL COORDINATE THE CONSTRUCTION SCHEDULE AND PRIOR TO CONSTRUCTION OF SAID APPURTENANCES WITH OWNER AND ENGINEER REGARDING FINISHED GRADE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE CONSTRUCTION OF SAID APPURTENANCES TO FINISHED GRADE.
9. ALL IRRIGATION SERVICES SHALL BE CONSTRUCTED WITH A CASING THAT EXTENDS 6 FEET BEYOND THE BACK OF CURB. MAGNETIC MARKERS ARE REQUIRED AT EACH END OF THE CASING. CASING SHALL BE 4" MINIMUM.
10. IRRIGATION UTILITY MAINS SHALL BE AWWA C900, CLASS 150 PVC, UNLESS NOTED OTHERWISE. ALL IRRIGATION MAINS UNDER PAVEMENT AND AT COMPLETE CROSSINGS SHALL BE AWWA C900, CLASS 200 PVC PIPE. CONTRACTOR TO COORDINATE IRRIGATION CONDUIT LOCATIONS WITH IRRIGATION CONTRACTOR.
11. ALL IRRIGATION WATER MAINS SHALL BE SEPARATED FROM WATER MAINS BY A MINIMUM HORIZONTAL DISTANCE OF SIX (6) FEET MEASURED EDGE TO EDGE AND A VERTICAL DISTANCE OF TWELVE (12) INCHES (12") BETWEEN THE INVERT OF THE IRRIGATION PIPE AND THE CROWN OF THE LOWER PIPE, WHERE MINIMUM SEPARATION CANNOT BE MAINTAINED, SEE CROSSOVER DETAIL. REQUIREMENTS IN THE DETAIL PREVAIL.
12. CONTRACTOR TO COORDINATE IRRIGATION CONDUIT LOCATIONS WITH IRRIGATION CONTRACTOR.
13. ALL ADDITIONS TO THE EXISTING IRRIGATION SYSTEM SHOULD BE DESIGNED TO STANDARDS AND SPECIFICATIONS PER TURF AND LANDSCAPE IRRIGATION SYSTEMS FOURTH ED., 2000, FLORIDA IRRIGATION SOCIETY.
14. WHERE BAHIA SOD IS SUBSTITUTED FOR ANOTHER TURF GRASS SPECIES, THE CONTRACTOR SHALL PROVIDE CORRESPONDING 100% HEAD-TO-HEAD IRRIGATED COVERAGE.

**TOTAL TREES ON PROPERTY (NOT IN WETLANDS)**

EXISTING TREES TO BE REMOVED	4"-15" D.B.H.	16"-30" D.B.H.	OVER 30" D.B.H.
OAK TREE	80	70	34
MAPLE TREE	88	64	20
OTHER TREE	88	86	14
PALM TREE	0	0	0
<b>TOTAL TREES</b>	<b>236</b>	<b>200</b>	<b>68</b>

**TREE REMOVAL - WITHIN LOTS**

EXISTING TREES TO BE REMOVED	4"-15" D.B.H.	16"-30" D.B.H.	OVER 30" D.B.H.
OAK TREE	30	35	17
MAPLE TREE	44	32	10
OTHER TREE	44	33	7
PALM TREE	0	0	0
<b>TOTAL TREES</b>	<b>118</b>	<b>100</b>	<b>34</b>

**TREE REPLACEMENT**

EXISTING TREES TO BE REMOVED	4"-15" D.B.H.	16"-30" D.B.H.	OVER 30" D.B.H.
OAK TREE	30	35	17
MAPLE TREE	44	32	10
OTHER TREE	44	33	7
<b>TOTAL CANOPY</b>	<b>118</b>	<b>100</b>	<b>34</b>
<b>TOTAL PALM TREE</b>	<b>0</b>	<b>0</b>	<b>0</b>

CANOPY REPLACEMENT SIZE RATIO	3" / 1:1	4" / 2:1	4" / 3:1
PALM TREE REPLACEMENT RATIO	3" / 1 CANOPY TREE : 2 PALMS		
<b>TOTAL PROVIDED</b>	<b>121</b>	<b>200</b>	<b>102</b>

NOTE: ALL PLANT SPECIES INSTALLED ADJACENT TO WETLAND AREAS MUST BE FLORIDA NATIVE. NO ADDITIONAL DEVELOPMENT, PLANTINGS OR DISTURBANCE ARE PROPOSED WITHIN THE WETLAND BOUNDARIES.

**PLANTING SCHEDULE AND SPECIFICATIONS**

**TREES**

QUANTITY	BOTANICAL NAME	COMMON NAME	SPECIFICATION	SPACING
96	ILEX X ATTENUATA 'EAGLESTON'	EAGLESTON HOLLY	10' HT MIN. X 4" SPR, 3" CAL	AS SHOWN
77	MAGNOLIA GRANDIFLORA 'D.D. BLANCHARD'	SOUTHERN MAGNOLIA	10' HT MIN. X 4-6" SPR, 4" CAL	AS SHOWN
25	PLATANUS OCCIDENTALIS	AMERICAN SYCAMORE	10' HT MIN. X 4-6" SPR, 3" CAL	AS SHOWN
74	QUERCUS VIRGINIANA	LIVE OAK	10' HT MIN. X 4-6" SPR, 4" CAL	AS SHOWN
46	QUERCUS VIRGINIANA	LIVE OAK	15' HT MIN. X 6-8" SPR, 5" CAL	AS SHOWN
108	QUERCUS VIRGINIANA	LIVE OAK	10' HT MIN. X 4-6" SPR, 4" CAL	2 PER LOT

**SHRUBS**

QUANTITY	BOTANICAL NAME	COMMON NAME	SPECIFICATION	SPACING
588	VIBURNUM OBOVATUM	WALTERS VIBURNUM	3 GALLON 24" HT	36" ON CENTER
45	MYRTICA CERIFERA	WAX MYRTLE		

**MISCELLANEOUS**

QUANTITY	DESCRIPTION	SPECIFICATION
TBD	IRRIGATION	SPECIFIED ABOVE. HEAD-TO-HEAD IN TURF AREAS, MICRO DRIP EMITTERS FOR ALL PLANTINGS
TBD	BAHIA SOD	TO BE FIELD VERIFIED BY CONTRACTOR.
TBD	PINE STRAW MULCH	MIN. 3" THICK

NOTE: PLANT SYMBOLS ARE REPRESENTATIVE OF GENERAL TREE AND SHRUB REQUIREMENTS. ALL SUBSTITUTIONS MADE SHALL ADHERE TO LOCAL MUNICIPALITY CODE OF ORDINANCES.

**CODE COMPLIANCE DATA:**

	REQUIRED	PROVIDED
<b>NORTH ROADWAY BUFFER - 2' WIDE</b>		
ALONG UPPER MANATEE RIVER ROAD		
- 2 CANOPY TREES PER 100 LF.	7 TREES	7 TREES
(200 LF. / 100 LF. = 2 X 2 CANOPY TREES = 7 CANOPY TREES)		
- 33 SHRUBS PER 100 LF.	108 SHRUBS	107 SHRUBS
(200 LF. / 100 LF. = 2 X 33 SHRUBS = 66 SHRUBS)		
<b>NORTH PROPERTY BUFFER - 15' WIDE</b>		
ALONG NORTH PROPERTY LINE		
- 1 CANOPY TREE PER 30 LF.	22 TREES	22 TREES
(600 LF. / 30 LF. = 20 CANOPY TREES)		
<b>EAST ROADWAY BUFFER - 32' WIDE</b>		
ALONG EAST PROPERTY LINE		
- 1 CANOPY TREE PER 30 LF.	14 TREES	14 TREES
(713 LF. / 100 LF. = 7.13 X 2 CANOPY TREES = 14 CANOPY TREES)		
- 33 SHRUBS PER 100 LF.	230 SHRUBS	241 SHRUBS
(713 LF. / 100 LF. = 7.13 X 33 SHRUBS = 236 SHRUBS)		
<b>EAST PROPERTY BUFFER - 15' WIDE</b>		
ALONG EAST PROPERTY LINE		
- 1 CANOPY TREE PER 30 LF.	9 TREES	9 TREES
(270 LF. / 30 LF. = 9 CANOPY TREES)		
<b>WEST ROADWAY BUFFER - 20' WIDE</b>		
WEST PROPERTY LINE		
- 2 CANOPY (10'-H) PER 100 LF.	14 TREES	14 TREES
(280 LF. / 100 LF. = 2.8 X 2 CANOPY TREES = 14 CANOPY TREES)		
- 33 SHRUBS PER 100 LF.	230 SHRUBS	230 SHRUBS
(840 LF. / 30 LF. = 28 X 33 SHRUBS = 236 SHRUBS)		
<b>WEST PROPERTY BUFFER - 15' WIDE</b>		
WEST PROPERTY LINE		
- 1 CANOPY TREE PER 30 LF.	27 TREES	27 TREES
(810 LF. / 30 LF. = 27 CANOPY TREES)		
<b>SOUTH GREENBELT BUFFER - 15' WIDE</b>		
SOUTH PROPERTY LINE		
- 1 CANOPY TREE PER 30 LF.	35 TREES	35 TREES
(1050 LF. / 30 LF. = 35 CANOPY TREES)		
<b>RESIDENTIAL STREET TREE PLANTING</b>		
- 1 TREE PER 80 SQ. FT. OF LOT.	64 TREES	66 TREES
(4,175 SQ. FT. / 80 SQ. FT. = 52 TREES)		

A MINIMUM OF 50% OF THE REQUIRED LANDSCAPING SHALL BE IN THE FORM OF TREES AND SHRUBS SHALL BE PLACED WITHIN THE MIDDLE TWO-THIRDS (2/3) OF ANY DRAINAGE SWALE OR WITHIN THREE (3) FEET MEASURED HORIZONTALLY FROM THE CENTERLINE OF THE DRAINAGE SWALE; WHEREVER IS GREATER SWALES MUST ALLOW THE POSITIVE FLOW OF WATER WITHOUT ANY OBSTRUCTION.

**GENERAL NOTES:**

1. NO REFERENCE TO ENGINEERING SHOULD BE MADE FROM THIS SHEET, FOR LANDSCAPE REFERENCE ONLY.
2. ANY DEVIATION FROM PLANT QUANTITY, SIZE OR GRADE MAY JEOPARDIZE THE CERTIFICATE OF OCCUPANCY.
3. THE HEALTHY, NEAT AND CREDIBLE APPEARANCE OF ALL REQUIRED LANDSCAPED MATERIALS IS THE CONTINUAL RESPONSIBILITY OF THE PROPERTY OWNER.
4. SLOPES 4:1 OR GREATER SHALL REQUIRE SOODING FOR STABILIZATION.
5. CONTRACTOR SHALL VERIFY ALL FINAL TREE LOCATIONS IN REGARD TO CONFLICTS SUCH AS UTILITIES, DRAINAGE, ETC.
6. ANY AREAS SUBJECT TO EROSION MUST BE ADEQUATELY STABILIZED WITH VEGETATIVE MATERIAL THAT WILL WITHIN A REASONABLE TIME FRAME, BETTER SOIL DISTURBANCE, ACCORDING TO PLANNING, SPREADING OR SEEDING IS ACCEPTABLE FOR STABILIZATION; HOWEVER, SOODING MAY BE REQUIRED IN AREAS OF EROSION-PRONE SOILS OR WHERE SLOPES ARE GREATER THAN 4:1. VEGETATION OTHER THAN GRASS IS ACCEPTABLE UNLESS OTHERWISE SPECIFIED.
7. MAINTENANCE OF PLANT SPECIES REMOVAL SHALL BE COMPLETED IN ACCORDANCE WITH SECTION 715.06 OF THE MANATEE COUNTY LDC.

**TREE PLANTING NOTES:**

1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND DISEASES. ALL PLANT MATERIAL SHALL BE IN FULL AND STRICT ACCORDANCE TO FLORIDA NO. 1 GRADE ACCORDING TO THE "TOLERANCE AND STANDARDS FOR NURSERY PLANTS" PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. PLANT MATERIALS IN SOME INSTANCES SHALL EXCEED NO. 1 GRADE, IN ORDER TO MEET THE MINIMUM REQUIREMENTS OF THIS PROJECT. ALL PALMS TO BE SUN GROWN.
2. ALL TREES SHALL BE QUARANTINED FOR TWO YEARS FROM DATE OF COUNTRY ACCEPTANCE.
3. EACH TREE SHALL RECEIVE SIX (6) "AGRIFORM" 21 GRAM TABLETS PER MANUFACTURER'S DIRECTIONS.
4. FLEXIBILITY SHALL BE GIVEN TO THE PLACEMENT OF STREET TREES TO ACCOMMODATE IMPROVEMENTS SUCH AS DRIVEWAYS, UTILITIES, LIGHTING, ETC.
5. STREET TREE SHALL HAVE A MINIMUM CLEARANCE OF 18' FROM STREET LIGHTS. SHALL NOT BE INSTALLED WITHIN 10 FT. OF ANY ABOVE GROUND UTILITY OR WITHIN 30 FT. OF THE FACE OF A STOP SIGN.
6. STREET TREE PLANTING IN "COMMON TRACTS" TO BE INSTALLED PRIOR TO A-B-A-1 INSPECTION.
7. APRIL 15<sup>TH</sup> - JUNE 15<sup>TH</sup> OF EACH YEAR TO BE PROPOSED TREE REMOVAL PERIOD. CONTRACTOR SHALL NOTIFY THE PROPERTY OWNER.
8. ALL TREASURING LANDSCAPING ON A TREE PROTECTED BY THE PROVISIONS OF THE LAND DEVELOPMENT CODE SHALL BE IN ACCORDANCE WITH THE AMERICAN NATIONAL STANDARD INSTITUTE (ANSI) A-300 PLANNING STANDARDS.
9. A TREE TABLE INDICATING THE QUANTITY OF STREET TREES REQUIRED FOR EACH LOT SHALL BE PROVIDED WITH THE HOMEOWNER DOCUMENTS AT THE TIME OF FINAL PLAN.



**WOODLANDS TRACE**  
CLIENT: NEAL COMMUNITIES  
LANDSCAPE NOTES & SCHEDULE

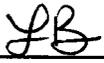
PLAN REVISIONS

NO.	DATE	DESCRIPTION

FLORIDA CERTIFICATE OF JOURNALIZATION  
**WILLIAM H. BOWERS**  
10/29/2013  
L.A. #6606785  
SET NUMBER: 342-01-01  
SHEET: 5

# MANATEE COUNTY GOVERNMENT

## AGENDA MEMORANDUM

<b>SUBJECT</b>	LDCT-13-03/Ordinance 14-01 (Park Trailers)	<b>TYPE AGENDA ITEM</b>	Advertised Public Hearings - Regular
<b>DATE REQUESTED</b>	11/14/13 PC	<b>DATE SUBMITTED/REVISED</b>	11/6/2013
<b>BRIEFINGS? Who?</b>	No	<b>CONSEQUENCES IF DEFERRED</b>	N/A
<b>DEPARTMENT/DIVISION</b>	Building & Development Services Department/Comprehensive Planning and Public Hearings	<b>AUTHORIZED BY TITLE</b>	Lisa Barrett, Planning Division Manager 
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Shelley Hamilton, Principal Planner, 941-748-4501 ext. 6863	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Shelley Hamilton, Principal Planner, 941-748-4501 ext. 6863
<b>ADMINISTRATIVE APPROVAL</b>			

<b>ACTION DESIRED</b> <b>INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED</b>
I move to recommend adoption of LDCT-13-03/Ordinance 14-01 per the recommended motion in the staff report attached to this memo.

<b>ENABLING/REGULATING AUTHORITY</b> <b>Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy</b>
Manatee County Comprehensive Plan and Manatee County Land Development Code.

<b>BACKGROUND/DISCUSSION</b>
<ul style="list-style-type: none"> <li>- With a recent review of LDC Section 603, discrepancies were identified between the Florida Statutes and the Manatee County Land Development Code relative to definitions for Park Trailers, Recreational Vehicles, Manufactured Homes, and Mobile Homes. Specifically, the following definition changes are recommended:             <ul style="list-style-type: none"> <li>- All definitions referring to "manufactured homes" need to be revised to reference "mobile homes;"</li> <li>- Definition of "park trailer" needs to be deleted; and</li> <li>- A reference to FS 513.01 needs to be added to the definitions of "mobile home" and "recreational vehicle."</li> </ul> </li> <li>- Sections 603.8 (PDMH – Planned District, Manufactured Home) and 603.9 (PDRV – Planned District, Recreational Vehicle) also need revisions to bring the LDC into consistency with the Florida Statutes.</li> <li>- Chapter 513.014 of the Florida Statutes provides additional information regarding the applicability of recreational vehicles parks and mobile home parks.</li> <li>- A recreational vehicle park is strictly to provide "temporary or seasonal living quarters, " and may not contain a mobile home; but a mobile home park may provide five or more sites for recreational vehicles.</li> <li>- A mobile home park does not require a mobile home park with spaces set aside for recreational vehicles to obtain permits, but if spaces are rented for recreational vehicles on a long-term basis, it is required that the recreational vehicle comply with all laws and rules relating to mobile home parks.</li> <li>- A mobile home park and a recreational vehicle park must both first obtain a permit from the State Department of Health. That permit must identify:             <ul style="list-style-type: none"> <li>- The location of the existing or proposed park;</li> <li>- The type of park;</li> <li>- The number of mobile homes and/or recreational vehicles to be accommodated or the number of recreational campsites;</li> <li>- The type of water supply;</li> <li>- The method of sewage disposal;</li> <li>- Any other information that the Department of Health requires; and</li> <li>- Must be renewed annually.</li> </ul> </li> <li>- Staff recommends approval.</li> </ul>

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

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Staff Report		n/a	
<b>COST:</b>	n/a	<b>SOURCE (ACCT # &amp; NAME):</b>	n/a
<b>COMMENTS:</b>		<b>AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)</b>	

P.C.. 11/14/2013

**LDCT-13-03/ORDINANCE 14-01 fka Ord. 13-31**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING SECTION 201 OF THE LAND DEVELOPMENT CODE TO PROVIDE NEW OR REVISED DEFINITIONS AND TO DELETE CERTAIN OBSOLETE DEFINITIONS; AMENDING SECTIONS 603.8 (PDMH - PLANNED DEVELOPMENT MANUFACTURED HOME) AND 603.9 (PDRV - PLANNED DEVELOPMENT RECREATIONAL VEHICLE) OF THE LAND DEVELOPMENT CODE FOR CONSISTENCY WITH FLORIDA STATUTES; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**P.C.: 11/14/2013**

**B.O.C.C.: 12/05/2013, 01/09/2014**

**RECOMMENDED MOTION:**

**Based upon the staff report, evidence presented, and comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan, I move to recommend APPROVAL of Manatee County Ordinance 14-01 fka 13-31, amending the Manatee County Land Development Code (Ordinance 90-01, as amended), as recommended by staff.**

Background:

During the recent review of Land Development Code Section 603, discrepancies were identified between the Florida Statutes and the Manatee County Land Development Code relating to definitions for Park Trailers/Recreational Vehicles vs. Mobile Homes.

Input from the County Attorney's Office has identified that revisions to the definitions, as well as revisions to Section 603.8 (PDMH – Planned District, Mobile Home) and Section 603.9 (PDRV – Planned District, Recreational Vehicle) need to be made in order to bring the Land Development Code into consistency with the Florida Statutes.

As identified, the Florida Statutes were reviewed to determine the changes that are necessary to proceed with any future recreational vehicle park and mobile home park developments. Chapter 723.003 of the Florida Statutes provides definitions for "mobile home" and "mobile home park." Chapter 513.01 of the Florida Statutes provides further clarification for a "mobile home" and "mobile home park." That section also provides definitions for a "recreational vehicle" and "recreational vehicle park."

Chapter 513.014 of the Florida Statutes provides additional information regarding the applicability of recreational vehicle parks and mobile home parks. Specifically, this section states that a mobile home park may have a site(s) designated for recreational vehicles, and that a mobile home park that has five or more sites set aside for recreational vehicles shall, for those particular sites, comply with the recreational vehicle park requirements included in this chapter of the Florida Statutes. Also, "a mobile home park that rents spaces to recreational vehicles on a basis of long-term leases is required to comply with the laws and rules relating to mobile home parks including, but not limited to Chapter 723, Florida States."

The definition in Chapter 513.01, Florida Statutes, states that a "recreational vehicle park" means a place set aside...for the parking, accommodation, or rental of five or more recreational vehicles or tents." The term also includes "buildings and sites set aside for group camping and similar recreational facilities."

A recreational vehicle park is strictly to provide "temporary or seasonal living quarters," and may not contain a mobile home; however, a mobile home park may provide five or more sites for recreational vehicles. A mobile home park does not require a mobile home park with spaces set aside for recreational vehicle to obtain two permits (one for the mobile home park and one for recreational vehicle sites), however if spaces are rented to recreational vehicles on a long-term basis, it is required that the mobile home park comply with all laws and rules relating to mobile home parks.

Chapter 513.02 of the Florida Statutes states that a person may not establish or maintain a mobile home park or a recreational vehicle park without first obtaining a permit from the State Department of Health. The application for a permit must identify the location of the existing or proposed park, the type of park, the number of mobile homes or recreational vehicles to be accommodated or the number of recreational campsites, the type of water supply, the method of sewage disposal, and any other information that the department requires. Each permit must be renewed annually.

Revisions Necessary:

- 1) Land Development Code, Section 201, provides defined terms. The following terms, specifically relating to **Mobile Home, Mobile Home Park, Recreational Vehicle, Recreational Vehicle Park, Manufactured Home, Manufactured Home Park, Manufactured Home Site, and Manufactured Home Subdivision** need to be revised. In each case, a reference to the appropriate section of the Florida Statutes will be used. With that revision, if the definitions change in the Florida Statutes, the definition will remain consistent in the Land Development Regulations. The definitions relating to Manufactured Homes need to be revised to reference Mobile Homes instead of Manufactured Homes. Section 320.01 of the Florida Statutes defines “manufactured home” as a mobile home fabricated on or after June 15, 1976. Therefore, staff recommends that any reference in the Land Development Code to manufactured home be revised to mobile home.

The definitions in Chapter 513.01, Florida Statutes, are as follows:

*Mobile Home:* A residential structure that is transportable in one or more sections, which structure is 8 body feet (2.4 meters) or more in width, over 35 feet in length with the hitch, built on a integral chassis, and designed to be used a dwelling when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

*Mobile Home Park:* A place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more mobile homes.

*Recreational Vehicle:*

*Has the same meaning as provided for the term “recreational vehicle type unit” in Section 320.01, Florida Statutes. However, the terms “temporary living quarters” and “seasonal or temporary living quarters” as used in Section 320.01, Florida Statutes, in reference to recreational vehicles placed in recreational vehicle parks, related to the period of time the recreational vehicle is occupied as living quarters during each year and not to the period of time it is located in the recreational vehicle park. During the time the recreational vehicle is not occupied as temporary or seasonal quarters, it may be stored and tied down on the recreational vehicle site. The affixing of a recreational vehicle to the ground by way of tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms, and similar appurtenances by way of removable attaching devices, does not render the recreational vehicle a permanent part of the recreational vehicle site.*

*Recreational Vehicle Park:*

*A place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicle or tents, and the term also includes buildings, and sites set aside for group camping and similar recreational facilities. For the purposes of this chapter, the terms “campground” “camping resort,” “RV resort,” “travel resort,” and “travel park,” or any variations of these terms, are synonymous with the term “recreational vehicle park.”*

- 2) Chapter 320.01, Florida Statutes currently provides a definition for **Park Trailer**. A park trailer is listed as one of the basic entities of a recreational vehicle. There are other entities also included in the definition for a recreational vehicle, including:

travel trailers;  
motor homes,  
camping trailers;  
campers;  
auto trucks;  
park trailers  
truck campers;  
private motor coaches;  
fifth wheel trailers; and  
recreational vans.

So as not to provide any confusion, staff recommends that the only definition that should be contained in the Land Development Code is a definition for recreational vehicle, and tie the definition back to the Florida Statutes, as explained above.

With that, it is recommended that the definition for **Park Trailer**, contained in the Land Development Code, Section 201, be deleted.

- 3) Changes relating to Section 603.8 (Planned Development Manufactured Home) and 603.9 (Planned Development Recreational Vehicle) are also necessary to provide consistency with the new definitions as identified above.

#### Specific Language Changes

Amendments to Section 201 of the Land Development Code to provide new or revised definitions, and to delete certain obsolete definitions, as follows:

- 1) ~~Dwelling, Manufactured Home shall mean any structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to the required utilities. This term shall be deemed to include park trailers, and mobile homes, however, Manufactured Home Dwelling shall not be deemed to include "Recreational Vehicles." Dwelling, Manufactured Home" shall include all of the following characteristics:~~
  - (A) ~~Designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower, bath and kitchen facilities with plumbing and electrical connections provided for permanent attachment to outside systems; and~~
  - (B) ~~Designed to be transported after fabrication on its own wheels or on a flat bed or other trailer or detachable wheels; and~~

~~(C) Arriving at the site where it is to be occupied as a dwelling complete, conventionally designed to include major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, located on foundation supports, permanent connection to utilities, and the like; and~~

~~(D) Designed for removal to and installation or erection on other sites; and~~

~~(E) Approved as such by the Department of Housing, and Urban Development and/or ANSI-A-119.5.~~

~~A manufactured home dwelling may include two (2) of more sections, separately towable, which when joined together shall have the characteristics as described above.~~

~~However the term, Manufactured Home Dwelling, shall not include manufactured buildings and factory, built housing as defined in Chapter 553, Florida Statutes.~~

- 2) ~~Manufactured Home. (See “Dwelling, Manufactured Home.”)~~
- 3) **Manufactured Mobile Home and Recreational Vehicle Sale, Rental and Leasing Establishment shall mean any premises where the principal use is the sale, rental or leasing of any manufactured mobile home or recreational vehicle. A manufactured mobile home and recreational vehicle sale, rental and leasing establishment shall not be deemed to include the storage, except for sales display, of any manufactured mobile homes or recreational vehicles or the sale, rental or leasing of any commercial or domestic vehicles.**
- 4) ~~Manufactured Home Park shall mean any parcel of land under single ownership where manufactured home sites are offered for sale as part of an approved condominium plat, lease, or rent for the placement of manufactured home dwellings which are occupied on a non-transient residential basis.~~
- 5) **Manufactured Mobile Home Park, Existing shall mean all manufactured home parks or subdivisions built and operating before April 30, 1981.**
- 6) **Manufactured Mobile Home Park Pre-Firm shall mean any manufactures home park or subdivision that was built and operating before January 1, 1975.**

- 7) **Manufactured Mobile Home Site shall mean any designated area of land within a manufactured mobile home park or a lot within a manufactured mobile home subdivision, where such area of land or lot is designed for occupancy by five or more ~~not more than one (1)~~ manufactured mobile home dwellings.**
- 8) **Manufactured Mobile Home Subdivision. (See “Subdivision, Manufactured Mobile Home.”)**
- 9) **Mobile Home shall have the meaning set forth in Section 513.01 Florida Statutes.**
- 10) **Mobile Home Park shall have the meaning set forth in Section 513.01, Florida Statutes.**
- 11) ~~Recreational Vehicle shall mean any vehicular type, portable structure which is:~~
- ~~A. Build on a single chassis;~~
  - ~~B. Four hundred (400) square feet or less when measured at the largest horizontal projection;~~
  - ~~C. Designed to be self-propelled, or permanently towable by a light duty truck; and~~
  - ~~D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or occasional use.~~

~~Recreational vehicles shall be deemed to include, but shall not be limited to, travel trailers, motor homes, camping trailers, campers, auto trucks, and recreational vans. A park trailer shall not be classified as a recreational vehicle for the purposes of this Code.~~

**Recreational Vehicle shall have the meaning set forth in Section 513.01, Florida Statutes.**

- 12) ~~Recreational Vehicle Park shall mean a parcel of land where recreational vehicle sites are offered for placement of recreational vehicles for transient use. Recreational vehicle parks may also include camping areas designed for the exclusive use of camping tents, camping trailers, pick up coaches and vehicle conversions, provided that the specific designated areas are shown on the approved site plan.~~

**Recreational Vehicle Park shall have the meaning set forth in Section 513.01, Florida Statutes.**

- 13) ~~Park Trailer. For the purposes of this Code, Park Trailers are considered to be manufactured homes. Park Trailer shall mean units designated as such by the State of Florida which include the following:~~

~~Type I: Units under four hundred (400) square feet constructed to the standards set by ANSI A-119.5.~~

~~Type II: Units under five hundred (500) square feet constructed to the United States Department of Housing and Urban Development Standards.~~

The following changes to the Land Development Code, Section 603.8 are recommended:

**603.8. *PDMH—Planned Development Manufactured Mobile Home.***

- 603.8.1. ***Intent.*** It is the intent of these regulations to provide for development of mobile home parks as residential areas in areas adequately served or in areas which can be served by necessary utilities and services, in locations that are compatible with adjacent and surrounding land uses in accord with the goals, objectives, and policies of the Comprehensive Plan and in compliance with the standards set forth herein.

It is further the intent to permit the establishment of such districts only where planned development with carefully located buildings, parking and service areas, and landscaped open space will provide for internal convenience and ease of use as well as external compatibility.

- 603.8.2. ***Permitted Uses and Density/Intensity.*** Permitted uses are identified in Figure 6-1. A PDMH district may include units designated for recreational vehicles, subject to the limitations of the Comprehensive Plan regarding commercial uses, but exempt from locational criteria, and subject to the requirements of Section 513.014, Florida Statutes, so long as at least fifty-one percent (51%) of the units within the site are designated for mobile homes.

- 603.8.3. ***Permitted Accessory Uses and Structures.*** Uses and structures which are customarily and clearly incidental to permitted principal uses and structures, shall be permitted.

**Such accessory uses may include but are not limited to:**

- 1. Non-commercial low intensity recreation facilities.**
- 2. Centralized facilities for park offices, maintenance facilities, dumping stations, toilets, showers and laundry, for the exclusive use of all park residents.**
- 3. Park Manager or caretaker residence of either a ~~manufactured~~ mobile home, one-family or two family dwelling with a limit of two (2) dwelling units maximum, for the exclusive residence of the park management or caretaker.**
- 4. Centralized enclosed storage structures and storage garage facilities, with use limited to park residents only. No such structure shall be located within any required yard setback, any required perimeter buffer of the manufactured home development, or any utility or drainage easement.**
- 5. Accessory service uses for the exclusive use of the park residents only, shall be limited to the following:**

	<b>Aggregate Total Square Foot Area</b>
<b>Retail sales establishments</b>	<b>1,000</b>
<b>Personal service establishments</b>	<b>1,000</b>
<b>Food service establishments</b>	<b>3,000</b>
<b>Child care centers</b>	<b>3,000</b>

**Non-commercial low intensity recreation facilities;**

**All accessory uses are subject to the following restrictions:**

- 1. Such accessory service uses and the parking areas primarily related to their operations shall not occupy more than five (5) percent of the gross area of the park, except for non-commercial outdoor recreation facilities.**
- 2. Such accessory service uses shall present no visible evidence of the commercial character from any street outside the park.**

3. **The structures housing such accessory service facilities shall not be located closer than one hundred (100) feet to any public street; shall not be directly accessible from any public street, and shall be accessible only from a street within the park.**
4. **Such uses otherwise conform to the applicable regulations of the NC-S Neighborhood Commercial Small District.**
5. **Accessory service uses shall be specifically requested with the application for PDMH.**

**603.8.4. *Review Criteria.***

- 603.8.4.1. *Nature of Surrounding Land Uses.*** The nature of surrounding land uses shall be considered in order to ensure that the intensity of the proposed ~~manufactured home development~~ mobile home park will not create external impacts that adversely affect surrounding uses.

The nature of surrounding land uses shall be considered in order to ensure that the intensity of the proposed ~~manufactured home development~~ mobile home park provides, where appropriate, a transition between surrounding uses.

- 603.8.4.2. *Access.*** Available access shall be evaluated in order to ensure that the intensity of the proposed ~~manufactured home development~~ mobile home park will not adversely impede the free flow of traffic on the streets serving the district.

- 603.8.4.3. *Site Plan Sufficiency.*** The proposed site plan shall be evaluated to ensure consistency with the following criteria:

1. ***Landscaped and Pervious Area Requirements.*** At least twenty-five (25) percent of the land area to the district shall be reserved for landscaping and permeable open areas, and shall be improved and maintained accordingly, such areas may include landscaped buffers, vegetated yards, parking area screening, landscaped islands, mulched or vegetated play or seating areas and areas paved with permeable paving blocks. No more than twenty-five (25) percent of the required landscaped and pervious area shall be composed of permeable paving block.

2. **Buffers.** Perimeter buffers shall be required along all streets abutting the PDMH and along all other boundaries.

There shall be a landscaped buffer strip not less than fifty (50) feet in depth along all streets abutting the PDMH, and a landscaped buffer strip not less than fifteen (15) feet in depth along the other boundaries of the ~~manufactured home development~~ mobile home park except where such boundaries abut a residentially zoned district or an area designated in the Comprehensive Plan for residential development, the buffer shall be seventy-five (75) feet. Streets shall not be permitted in the landscape buffer, except where providing direct access off-site and in such case shall run perpendicular through buffer. Screening shall be provided as appropriate.

3. **Dimensional Regulations.** PDMH projects shall be subject to the following dimensional requirements unless other guidelines are specifically approved by the Board:

<b>Minimum Site Area For:</b>	
<b>Single Wide <del>Park Trailer</del> <u>Recreational Vehicle</u></b>	<b>2,000 <del>1,200</del> sq. ft.</b>
<b>Single Wide <del>Manufactured</del> <u>Mobile Home</u></b>	<b>3,000 sq. ft.</b>
<b>Double Wide <del>Manufactured</del> <u>Mobile Home</u></b>	<b>3,000 sq. ft.</b>
<b>Triple Wide <del>Manufactured</del> <u>Mobile Home</u></b>	<b>4,750 sq. ft.</b>
<b>Non-residential site</b>	<b>10,000 sq. ft.</b>
<b>Management or caretakers dwelling unit</b>	<b>10,000 sq. ft.</b>
<b>Minimum Width For:</b>	
<b>Single Wide <del>Park Trailer</del> <u>Recreational Vehicle</u></b>	<b>35 feet</b>
<b>Single Wide <del>Manufactured</del> <u>Mobile Home</u></b>	<b>40 feet</b>
<b>Double Wide <del>Manufactured</del> <u>Mobile Home</u></b>	<b>50 feet</b>
<b>Triple Wide <del>Manufactured</del> <u>Mobile Home</u></b>	<b>60 feet</b>
<b>Non-residential site or dwelling</b>	<b>75 feet</b>
<b>Minimum Yards</b>	<b>5 feet</b>
<b>Minimum Floor Area:</b>	

<b>Single Wide Manufactured <u>Mobile Home</u></b>	<b>600 sq. ft.</b>
<b>Double Wide Manufactured <u>Mobile Home</u></b>	<b>850 sq. ft.</b>
<b>Single Wide <del>Park Trailer</del> <u>Recreational Vehicle</u></b>	<b>375 sq. ft.</b>
<b>Maximum Height:</b>	
<b>Non-Residential</b>	<b>35 feet</b>
<b>Residential</b>	<b>15 feet</b>

**603.8.4.4. *Site Conditions.***

**603.8.4.4.1. *Flood Hazards.*** Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion of the park subject to flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards. All **manufactured mobile home sites** shall conform to the applicable requirements of Section 717, Stormwater Management and Section 718, Floodplain Management.

**603.8.4.4.2.** The approval of any new **manufactured mobile home site** shall be prohibited within the Hurricane Vulnerability Area of the Coastal Area.

**603.8.5. *Required Improvements for All Areas Except Designated Camping Areas.***

**603.8.5.1. *Generally.*** All standards and improvements required in Chapter 9 shall be required in PDMH projects; however, dedication of street rights-of-way to the County shall be prohibited for internal streets.

**603.8.5.2. *Utilities.*** All **manufactured mobile homes and manufactured mobile home sites** shall be connected to utilities in compliance with the Manatee County Building Code. Electrical meters shall not be energized for any **manufactured mobile home site** until a Certificate of Occupancy has been issued unless approved otherwise by the Building Official, in conjunction with a development order approval.

**603.8.5.3. *Parking Pads and Tie-Downs Required.*** Each **manufactured mobile home site** shall contain a dustless surface vehicular parking pad. Each **manufactured mobile home** shall be tied down in accordance with the manufacturer's instructions and

**Chapter 15C of the Florida Administrative Code, Manatee County Building Code or other applicable law.**

- 603.8.5.4. *Garbage and Trash.* Park management shall be strictly responsible for internal trash and garbage collection. Central park collection points shall be sited and screened in accordance with Section 728.**
- 603.8.5.5. *Required Recreation/Storm Shelter Building.* Within all new PDMH projects containing twenty-five (25) or more lots, a building shall be constructed which complies with Section 716.**
- 603.8.5.6. *Application Requirements.* ~~To this end, each~~ Each application for a PDMH district must clearly specify the type of units which are being requested and the designation of the sites where units will be located, including a specific description and location of sites designated for recreational vehicles.**
- 603.8.5.7. *Review.* The review will include compliance with safety, flood protection, building and other Land Development Code requirements.**

The following changes to the Land Development Code, Section 603.9 are recommended:

- 603.9. *PDRV—Planned Development Recreational Vehicle.***
- 603.9.1. *Intent.* PDRV districts shall hereafter be established in accordance with the general requirements, standards, and criteria set forth in Section 603. It is the intent of this district to provide a limited opportunity for existing recreational vehicle parks to formalize their existing development pattern and establish guidelines for further operation and expansion, and to provide criteria and regulations for the development of new recreational vehicle parks. The requirements of Sections 603.9.4, 603.9.5 and 603.9.6 shall be met when existing RV parks are expanded. Existing parks shall not be required to meet minimum lot area, lot size, and the dustless parking pad requirements.**
- 603.9.2. *Permitted Uses and Density/Intensity.* Permitted uses are identified in Figure 6-1. PDRV districts do not permit new attachments to recreational vehicles other than open canvas awnings having no walls, rollup screen enclosures, pop-out units and similar attachments which are integral to the unit as originally manufactured. Portions of individual PDRV districts**

**which permit recreational vehicles shall be considered commercial and are limited to 12 sites per acre. ~~Park trailers with additions are permitted on designated sites within a PDRV.~~**

**A PDRV district may include sites designated for mobile home, subject to the limitations of the Comprehensive Plan regarding residential uses, and subject to the requirements of Section 513.014, Florida Statutes, so long as at least fifty-one percent (51%) of the units within the site are designated for recreational vehicles.**

**603.9.3. *Permitted Accessory Uses and Structures for the Park or Subdivision.* Uses and structures which are customarily and clearly incidental to permitted principal uses and structures, shall be permitted.**

**603.9.3.1. Such accessory uses shall only include the following:**

- 1. Non-commercial low intensity recreation facilities.**
- 2. Centralized facilities for park/subdivision offices, maintenance facilities, dumping stations, toilets, showers and laundry, for the exclusive use of all ~~park/subdivision residents~~ park visitors.**
- 3. ~~Manufactured~~ One mobile home, one-family or two family dwelling with a limit of two (2) dwelling units maximum, for the exclusive residence of the park/subdivision management or caretaker.**
- 4. Centralized enclosed storage structures and storage garage facilities, with use limited to ~~park/subdivision residents~~ park visitors only. No such structure shall be located within any required yard setback, any required perimeter buffer of the recreational vehicle ~~park/subdivision~~, visibility triangle or any utility or drainage easement.**
- 5. Accessory service uses for the exclusive use of the ~~park/subdivision~~ residents only, shall be limited to the following:**

	Maximum Gross Floor Area
Retail sales establishments	1,000 sq. ft.
Personal service establishments	1,000 sq. ft.
Food service establishments	3,000 sq. ft.
Child care centers	3,000 sq. ft.
Recreational vehicle, model units, sales and service	7,500 sq. ft.

**603.9.3.2. Non-commercial low intensity recreational facilities;**

**603.9.3.3. All Accessory Uses are subject to the following restrictions:**

1. Such accessory service uses and the parking areas primarily related to their operations shall not occupy more than five (5) percent (5%) of the gross area of the park/~~subdivision~~ except for non-commercial outdoor recreation facilities.
2. Such non-retail accessory service uses shall present no visible evidence of the commercial character from any street outside the park/~~subdivision~~.
3. The structures housing such accessory service facilities shall be accessible only from a street within the park/~~subdivision~~.
4. Such uses otherwise conform to the applicable regulations of the NC Neighborhood Commercial District.
5. Accessory service uses shall be specifically requested with the application for PDRV.

**603.9.4. Review Criteria.**

**603.9.4.1. Nature of Surrounding Land Uses.** The nature of surrounding land uses shall be considered in order to ensure that the intensity of the recreational vehicle development park will not create external impacts that adversely affect surrounding uses.

The nature of surrounding land uses shall be considered in order to ensure that the intensity of the recreational vehicle

**development park** provides, where appropriate, a transition between surrounding uses.

- 603.9.4.2. Access.** Available access shall be evaluated in order to ensure that the intensity of the recreational vehicle **development park** will not adversely impede the free flow of traffic on the streets serving the district.

A PDRV shall be located so that no entrance or exit from the park shall discharge traffic onto ~~any residential district~~ a local street, nor require movement of traffic from the park through a residential district.

- 603.9.4.3. Site Plan Sufficiency.** The site plan shall be evaluated to ensure consistency with the following criteria:

1. ***Landscaped and Pervious Area Requirements.*** At least twenty (20) percent of the land area to the district shall be reserved for landscaping and permeable open areas, and shall be improved and maintained accordingly, such areas may include landscaped buffers, vegetated yards, parking area screening, landscaped islands, mulched or vegetated play or seating areas and areas paved with permeable paving blocks. No more than twenty-five ~~(25)~~ percent (25%) of the required landscaped and pervious area shall be composed of permeable paving block.
2. ***Buffers.*** Perimeter buffers shall be required along all streets abutting the PDRV and along all other boundaries.

There shall be a landscaped buffer strip not less than fifty (50) feet in depth along all streets abutting the PDRV, and a landscaped buffer strip not less than fifteen (15) feet in depth along the other boundaries of the recreational vehicle park except where such boundaries abut a residentially zoned district or an area designated in the Comprehensive Plan for residential development, where the buffer shall be seventy-five (75) feet. Streets shall not be permitted in the landscape buffer, except where providing direct access off-site and in such case shall run perpendicular through buffer. Screening shall be provided as appropriate.

3. ***Dimensional Regulations.*** PDRV projects shall be subject to the following dimensional requirements. Existing lots and sites in existing parks and subdivisions are exempt from the minimum site area and minimum lot width requirements.

<b>Minimum Site Area For:</b>	
<b>Park trailer (with or without additions)</b>	<b>2,000 sq. ft.</b>
<b>Rec. Vehicle without attachments</b>	<b>1,200 sq. ft.</b>
<b>Site in designated camping area</b>	<b>1,200 sq. ft.</b>
<b>Non-residential site</b>	<b>10,000 sq. ft.</b>
<b>Dwelling unit</b>	<b>10,000 sq. ft.</b>
<b>Minimum Width For:</b>	
<b>Park trailer <u>Mobile home</u> site</b>	<b>35 feet</b>
<b>RV site</b>	<b>30 feet</b>
<b>Site in designated camping area</b>	<b>20 feet</b>
<b>Non-residential site</b>	<b>75 feet</b>
<b>Minimum Yard Non-Residential Dwelling Unit—See Neighborhood Commercial Small Standards</b>	
<b>Minimum Yards</b>	<b>5 feet</b>
<b>Maximum Height:</b>	
<b>Non-Residential</b>	<b>35 feet</b>
<b>Residential</b>	<b>15 feet</b>

**603.9.4.4. *Site Conditions, Flood Hazards.*** Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion of the park subject to flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards. All recreational vehicle sites shall conform to the applicable requirements of Section 717, Stormwater Management and Section 718, Floodplain Management.

**603.9.5. *Required Improvements for All Areas Except Designated Camping Areas.***

- 603.9.5.1. *Generally.*** All standards and improvements required in the Manatee County Subdivision Regulations and Development Standards shall be required in PDRV projects; however, dedication of street rights-of-way to the County shall be prohibited for all internal streets.
- 603.9.5.2. *Utilities.*** All recreational vehicles and recreational vehicle sites shall be connected to utilities in compliance with Manatee County Building Code, in a manner that maintains the ability of the owner of each recreational vehicle to manually disconnect and travel. Electrical meters shall not be energized for any manufactured mobile home site until a Certificate of Occupancy has been issued unless otherwise approved by the Building Official, in conjunction with a development order approval.
- 603.9.5.3. *Parking Pads and Tie-Downs Required.*** Each site shall contain a stabilized vehicular parking pad composed of a dustless surface. Any recreational vehicle that the owner elects to tie down ~~Each recreational vehicle~~ shall be tied down in accordance with the Manatee County Building Code, manufacturer's instruction, or other applicable law, in a manner that maintains the ability of the owner of the recreational vehicle to manually disconnect and travel.
- 603.9.5.4. *Garbage and Trash.*** Park management shall be strictly responsible for internal trash and garbage collection. Central park collection points shall be sited and screened in accordance with Section 728.
- 603.9.5.5. *Required Recreation/Emergency Storm Shelter Building.*** Within all new and expanded PDRV projects containing twenty-five (25) or more ~~lots~~ recreational vehicle sites, a building shall be constructed which complies with Section 716.
- 603.9.6. *Required Improvements for Designated Camping Areas.***
- 603.9.6.1. *Streets Drive aisles.*** ~~Streets~~ Drive aisles in such areas shall be private and properly stabilized. Private streets shall be paved with a smooth, dustless surface, clearly marked as to internal circulation and direction of travel; and the minimum width:
1. One-way vehicular travel—eighteen (18) feet of paving.
  2. Two-way vehicular travel—twenty-four (24) feet of paving.

**3. Cul-de-sac diameter—eighty (80) feet of paving.**

**603.9.6.2. *Parking Pads.*** Each recreational vehicle site shall contain a dustless surface vehicular parking pad.

**603.9.6.3.** No ~~park trailers~~ mobile home sites shall be allowed in designated camping areas.

**603.9.6.4. *Sanitary Facilities.*** Sanitary facilities for designated camping areas shall be in accordance with requirements of the State of Florida and the County Health Unit and Section 718, Floodplain Management.

**603.9.7. *Additions and Accessory Uses.*** Additions and accessory uses are only allowed to ~~park trailers~~ mobile homes. The addition shall be of a similar construction and is limited to screen rooms, carports, laundry and storage rooms, and family room. The addition of bathrooms and bedrooms is prohibited.

**603.9.8. *Application Requirements.*** Each application for a PDRV district must clearly specify the type of units that are being requested and the designation of the sites where ~~park trailers~~ units will be located, including a specific description and location of an sites designated for mobile homes and sites designated for recreational vehicles.

Included in the request for additions shall be the type of materials, specifications, and dimensional guidelines for the additions.

**603.9.9. *Review.*** The review will include compliance with safety, flood protection, building and other Land dDevelopment eCode requirements.

**603.9.10. *Limitations.*** No recreational vehicle or ~~park trailer~~ mobile home shall be occupied in any area of the park except on a specifically approved site with individual sanitary, potable water and electrical hookups.

There shall be no encroachment (from the finish grade up) in the required yards except for eaves, gutters, and air conditioning equipment. Eaves and gutters shall be at least eight (8) feet above grade and may extend two (2) feet into any required yard but not nearer than three (3) feet to a lot line.

**603.9.11. *Time Limitations.* In new or expanded parks or subdivisions, recreational vehicles may remain on-site for a limited period of time, not to exceed one hundred eighty (180) days within any three hundred sixty-five (365) day period.**

**Consistency with Comprehensive Plan**

This proposed amendment is consistent with the following goals, objectives and policies of the Manatee County Comprehensive Plan:

Policy 2.10.4.2 Prohibit the consideration of any development order establishing the potential for commercial development, where the proposed project site is inconsistent with commercial locational criteria. Consistency shall be determined through the application of the commercial location review process described in the operative provisions contained in this Element. Permitted exceptions to those requirements are limited to:

- recreational vehicle parks. However, compliance with Policy 2.10.5.2 shall be required.

Objective 2.10.4.3 Require that all proposed commercial uses meet, in addition to commercial locational criteria, the following commercial development standards:

- 1) any proposed commercial site must be sized and configured to provide for adequate setbacks, and buffers from any adjacent existing or future residential uses.
- 2) any proposed commercial site must be configured and sized to allow for orientation of structures, site access points, parking areas and loading areas on the site in a manner which minimizes any adverse impact on any adjacent residential uses.
- 3) no proposed commercial site shall represent an intrusion into any residential area. As used in this standard, "intrusion" means located between two residential uses or sites which are not separated by the right-of-way of any roadway functionally classified as collector or higher, unless the proposed commercial use meets the definition of "infill commercial development," demonstrated through

evaluation of existing land use patterns in this vicinity of the proposed use, and pursuant to guidelines contained in commercial locational criteria found in the operative provisions of this Element. Permitted exceptions listed in Policy 2.10.4.2 shall not be required to meet this development standard. No such intrusion shall be found in neo-traditional developments approved as such by the County, as a mixture of uses are encouraged within those projects. No such intrusion shall be found in DRI and Large Project developments where commercial uses are internal to neighborhoods, approved as such by the County, as a mixture of uses are encouraged within those neighborhoods.

- 4) Commercial nodes meeting the requirements specified in the operative provisions of this Element shall, additionally, be spaced at least one-half mile apart, as measured between the center of two nodes. However, where two commercial nodes have been established by the development of commercial uses prior to plan adoption, and are spaced less than the minimum required one-half mile, then a waiver of this commercial development standard may be considered. Preferentially, in instances where previous development has not established a pattern of land uses inconsistent with commercial locational criteria or development standards, nodes shall be spaced no less than one mile apart. Neo-traditional projects shall be exempt from this requirement. DRI and Large Project developments that have mixed uses with a residential component that receive approval to locate commercial uses internal to neighborhoods shall be exempt from this requirement.

Objective 2.10.5 **Recreational Vehicle Parks:** Recreational vehicle parks which are located and planned to ensure maximum compatibility with other commercial, and with residential, land uses.

Policy 2.10.5.1 Regulate recreational vehicle parks and campgrounds as commercial uses, consistent with the function of those uses. All recreational vehicle parks shall be required to demonstrate compliance with Objective 2.6., with applicable commercial development standards contained in Policy 2.10.4.3, above, and with other applicable goals, objectives,

and policies. Consistent with Policy 2.10.4.2. however, recreational vehicle parks shall not be required to undergo review for compliance with commercial locational criteria identified in the operative provision of this Element, nor shall Floor Area Ratio requirements be applied to Recreational Vehicle.

Policy 2.10.5.2 Maintain land development regulations which:

- establish appropriate setback and buffer requirements for recreational vehicle parks,
- Maintain locational standards or guidelines for new recreational vehicle parks which address required level of access, level of service, relative intensity and impact of such uses,
- provide for adequate sites no which recreational vehicle parks may be considered for approval,
- require that all new recreational vehicle parks be established pursuant to the special approval process,
- exempt recreational vehicle parks from maximum Floor Area Ratio requirements while establishing alternative maximum intensity standards, and,
- establish certain districts on the official zoning atlas within which recreational vehicle parks shall not be located.

**Summary**

The amendment will not diminish the Board of County Commissioners' decision-making authority to determine the appropriate mix of temporary versus permanent residential units located within a mobile home park, nor will it reduce the County's ability to regulate mobile home parks in the future.

Staff, therefore, recommends **APPROVAL** of the proposed changes to the Land Development Code as identified above.

Attachments:

Chapter 513.014, Florida Statutes

**ORDINANCE NO. 14-01**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING SECTION 201 OF THE LAND DEVELOPMENT CODE TO PROVIDE NEW OR REVISED DEFINITIONS AND TO DELETE CERTAIN OBSOLETE DEFINITIONS; AMENDING SECTIONS 603.8 (PDMH—PLANNED DEVELOPMENT MANUFACTURED HOME) AND 603.9 (PDRV—PLANNED DEVELOPMENT RECREATIONAL VEHICLE) OF THE LAND DEVELOPMENT CODE FOR CONSISTENCY WITH FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**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:

1. Policy 2.10.5.1 of the Manatee County Comprehensive Plan sets forth policies for the construction of Mobile Home Parks and Recreational Vehicle Parks.
2. Sections 603.8 (PDMH—Planned Development Manufactured Home) and 603.9 (PDRV—Planned Development Recreational Vehicle), of the Manatee County Land Development Code (the “Code”) implement such policies of the Comprehensive Plan through the establishment of criteria and regulations for the development of Mobile Home Parks and Recreational Vehicle Parks.
3. It is in the interest of the public health, safety and welfare to amend Section 201 of the Code to provide revised definitions and delete obsolete definitions of certain terms used in Sections 603.8 and 603.9.
4. It is in the interest of the public health, safety and welfare to amend Sections 603.8 and 603.9 of the Code as provided herein, in order to achieve greater consistency with the requirements of Florida Statutes.
5. The Manatee County Planning Commission reviewed the amendments set forth in this Ordinance, found them to be consistent with the Comprehensive Plan, and recommended their adoption by the Board, on \_\_\_\_\_, 2014.

6. The Board of County Commissioners has held two duly noticed and advertised public hearings on \_\_\_\_\_, 2014 and \_\_\_\_\_, 2014, received public comments, the staff recommendation and report of the Planning Commission and has found this ordinance would preserve aesthetics and protect the public health, safety and general welfare by furthering long-term wetland protection through the land use regulations.

Section 3. Amendment of Section 201 of the Land Development Code  
Section 201 of the Land Development Code is hereby amended to add or restate the defined terms, and delete defined terms, as set forth in Exhibit "A" to this Ordinance.

Section 4. Amendment of Sections 603.8 and 603.9 of the Land Development Code. Sections 603.8 and 603.9 of the Land Development Code are hereby amended as set forth in Exhibit "B" to this Ordinance.

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

Section 6. Applicability. The amendments set forth in this Ordinance shall apply to all applications, decisions or controversies pending before the County upon the effective date hereof or filed or initiated thereafter.

Section 7. 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 8. Effective Date. This Ordinance shall become effective as provided by law.

**PASSED AND DULY ADOPTED**, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the \_\_\_ day of \_\_\_, 2014.

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

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

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

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

**ORDINANCE EXHIBIT "A"**  
**AMENDMENTS TO DEFINED TERMS IN SECTION 201**

1. The following defined terms are hereby added or restated in Section 201 of the Code in alphabetical order:

*Mobile Home* shall have the meaning set forth in Section 513.01, Florida Statutes.

*Mobile Home Park* shall have the meaning set forth in Section 513.01, Florida Statutes.

*Recreational Vehicle* shall have the meaning set forth in Section 513.01, Florida Statutes.

*Recreational Vehicle Park* shall have the meaning set forth in Section 513.01, Florida Statutes.

2. The following defined terms are hereby deleted from Section 201 of the Code in alphabetical order:

*Dwelling, Manufactured Home*

*Manufactured Home*

*Manufactured Home Park*

*Park Trailer*

3. The following defined terms have been revised in Section 201 of the Code to delete any reference to "manufactured" and change to "mobile", in alphabetical order:

*Manufactured Home*

*Manufactured Home Park*

*Manufactured Home Park, Existing*

*Manufactured Home Park, Pre-Firm*

*Manufactured Home Site*

*Manufactured Home Subdivision*

**ORDINANCE EXHIBIT “B”**  
**AMENDEDMENT TO 603.8 (PLANNED DEVELOPMENT MANUFACTURED HOME) AND 603.9 (PLANNED DEVELOPMENT RECREATIONAL VEHICLE**  
**(underlined language added, strike-through language deleted)**

603.8. *PDMH—Planned Development ~~Manufactured~~ Mobile Home.*

603.8.1. *Intent.* It is the intent of these regulations to provide for development of mobile home parks as residential areas in areas adequately served or in areas which can be served by necessary utilities and services, in locations that are compatible with adjacent and surrounding land uses in accord with the goals, objectives, and policies of the Comprehensive Plan and in compliance with the standards set forth herein.

It is further the intent to permit the establishment of such districts only where planned development with carefully located buildings, parking and service areas, and landscaped open space will provide for internal convenience and ease of use as well as external compatibility.

603.8.2. *Permitted Uses and Density/Intensity.* Permitted uses are identified in Figure 6-1. A PDMH district may include units designated for recreational vehicles, subject to the limitations of the Comprehensive Plan regarding commercial uses, and subject to the requirements of Section 513.014, Florida Statutes, so long as at least percent (51%) of the units within the site are designated for mobile homes.

603.8.3. *Permitted Accessory Uses and Structures.* Uses and structures which are customarily and clearly incidental to permitted principal uses and structures, shall be permitted.

Such accessory uses may include but are not limited to:

1. Non-commercial low intensity recreation facilities.
2. Centralized facilities for park offices, maintenance facilities, dumping stations, toilets, showers and laundry, for the exclusive use of all park residents.
3. Park Manager or caretaker residence of either a ~~manufactured~~ mobile home, one-family or two family dwelling with a limit of two (2) dwelling units maximum, for the exclusive residence of the park management or caretaker.
4. Centralized enclosed storage structures and storage garage facilities, with use limited to park residents only. No such structure shall be located within any required yard setback, any required perimeter buffer of the manufactured home development, or any utility or drainage easement.

5. Accessory service uses for the exclusive use of the park residents only, shall be limited to the following:

Non-commercial low intensity recreation facilities;

	Aggregate Total Square Foot Area
Retail sales establishments	1,000
Personal service establishments	1,000
Food service establishments	3,000
Child care centers	3,000

All accessory uses are subject to the following restrictions:

1. Such accessory service uses and the parking areas primarily related to their operations shall not occupy more than five (5) percent of the gross area of the park, except for non-commercial outdoor recreation facilities.
2. Such accessory service uses shall present no visible evidence of the commercial character from any street outside the park.
3. The structures housing such accessory service facilities shall not be located closer than one hundred (100) feet to any public street; shall not be directly accessible from any public street, and shall be accessible only from a street within the park.
4. Such uses otherwise conform to the applicable regulations of the NC-S Neighborhood Commercial Small District.
5. Accessory service uses shall be specifically requested with the application for PDMH.

603.8.4. *Review Criteria.*

603.8.4.1. *Nature of Surrounding Land Uses.* The nature of surrounding land uses shall be considered in order to ensure that the intensity of the proposed ~~manufactured home development~~ mobile home park will not create external impacts that adversely affect surrounding uses.

The nature of surrounding land uses shall be considered in order to ensure that the intensity of the proposed ~~manufactured home development~~ mobile home park provides, where appropriate, a transition between surrounding uses.

603.8.4.2. *Access.* Available access shall be evaluated in order to ensure that the intensity of the proposed ~~manufactured home development~~ mobile

home park will not adversely impede the free flow of traffic on the streets serving the district.

603.8.4.3. *Site Plan Sufficiency.* The proposed site plan shall be evaluated to ensure consistency with the following criteria:

1. *Landscaped and Pervious Area Requirements.* At least twenty-five (25) percent of the land area to the district shall be reserved for landscaping and permeable open areas, and shall be improved and maintained accordingly, such areas may include landscaped buffers, vegetated yards, parking area screening, landscaped islands, mulched or vegetated play or seating areas and areas paved with permeable paving blocks. No more than twenty-five (25) percent of the required landscaped and pervious area shall be composed of permeable paving block.
2. *Buffers.* Perimeter buffers shall be required along all streets abutting the PDMH and along all other boundaries.

There shall be a landscaped buffer strip not less than fifty (50) feet in depth along all streets abutting the PDMH, and a landscaped buffer strip not less than fifteen (15) feet in depth along the other boundaries of the ~~manufactured home development~~ mobile home park except where such boundaries abut a residentially zoned district or an area designated in the Comprehensive Plan for residential development, the buffer shall be seventy-five (75) feet. Streets shall not be permitted in the landscape buffer, except where providing direct access off-site and in such case shall run perpendicular through buffer. Screening shall be provided as appropriate.

3. *Dimensional Regulations.* PDMH projects shall be subject to the following dimensional requirements unless other guidelines are specifically approved by the Board:

Minimum Site Area For:	
Single Wide <del>Park Trailer</del> <u>Recreational Vehicle</u>	2,000 <del>1,200</del> sq. ft.
Single Wide <del>Manufactured</del> <u>Mobile Home</u>	3,000 sq. ft.
Double Wide <del>Manufactured</del> <u>Mobile Home</u>	3,000 sq. ft.
Triple Wide <del>Manufactured</del> <u>Mobile Home</u>	4,750 sq. ft.
Non-residential site	10,000 sq. ft.
Management or caretakers dwelling unit	10,000 sq. ft.
Minimum Width For:	

Single Wide <del>Park Trailer</del> <u>Recreational Vehicle</u>	35 feet
Single Wide <del>Manufactured</del> <u>Mobile Home</u>	40 feet
Double Wide <del>Manufactured</del> <u>Mobile Home</u>	50 feet
Triple Wide <del>Manufactured</del> <u>Mobile Home</u>	60 feet
Non-residential site or dwelling	75 feet
Minimum Yards	5 feet
Minimum Floor Area:	
Single Wide <del>Manufactured</del> <u>Mobile Home</u>	600 sq. ft.
Double Wide <del>Manufactured</del> <u>Mobile Home</u>	850 sq. ft.
Single Wide <del>Park Trailer</del> <u>Recreational Vehicle</u>	375 sq. ft.
Maximum Height:	
Non-Residential	35 feet
Residential	15 feet

603.8.4.4. *Site Conditions.*

603.8.4.4.1. *Flood Hazards.* Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion of the park subject to flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards. All ~~manufactured~~ mobile home sites shall conform to the applicable requirements of Section 717, Stormwater Management and Section 718, Floodplain Management.

603.8.4.4.2. The approval of any new ~~manufactured~~ mobile home site shall be prohibited within the Hurricane Vulnerability Area of the Coastal Area.

603.8.5. *Required Improvements for All Areas Except Designated Camping Areas.*

603.8.5.1. *Generally.* All standards and improvements required in Chapter 9 shall be required in PDMH projects; however, dedication of street rights-of-way to the County shall be prohibited for internal streets.

603.8.5.2. *Utilities.* All ~~manufactured~~ mobile homes and ~~manufactured~~ mobile home sites shall be connected to utilities in compliance with the Manatee County Building Code. Electrical meters shall not be energized for any ~~manufactured~~ mobile home site until a Certificate of Occupancy

has been issued unless approved otherwise by the Building Official, in conjunction with a development order approval.

603.8.5.3. *Parking Pads and Tie-Downs Required.* Each ~~manufactured~~ mobile home site shall contain a dustless surface vehicular parking pad. Each ~~manufactured~~ mobile home shall be tied down in accordance with the manufacturer's instructions and Chapter 15C of the Florida Administrative Code, Manatee County Building Code or other applicable law.

603.8.5.4. *Garbage and Trash.* Park management shall be strictly responsible for internal trash and garbage collection. Central park collection points shall be sited and screened in accordance with Section 728.

603.8.5.5. *Required Recreation/Storm Shelter Building.* Within all new PDMH projects containing twenty-five (25) or more lots or recreational vehicle sites, a building shall be constructed which complies with Section 716.

603.8.5.6. *Application Requirements.* ~~To this end, each~~ Each application for a PDMH district must clearly specify the type of units which are being requested and the designation of the sites where units will be located, including a specific description and location of an sites designated for recreational vehicles.

603.8.5.7. *Review.* The review will include compliance with safety, flood protection, building and other Land eDevelopment eCode requirements.

#### 603.9.PDRV—Planned Development Recreational Vehicle.

603.9.1. *Intent.* PDRV districts shall hereafter be established in accordance with the general requirements, standards, and criteria set forth in Section 603. It is the intent of this district to provide a limited opportunity for existing recreational vehicle parks to formalize their existing development pattern and establish guidelines for further operation and expansion, and to provide criteria and regulations for the development of new recreational vehicle parks. The requirements of Sections 603.9.4, 603.9.5 and 603.9.6 shall be met when existing RV parks are expanded. Existing parks shall not be required to meet minimum lot area, lot size, and the dustless parking pad requirements.

603.9.2. *Permitted Uses and Density/Intensity.* Permitted uses are identified in Figure 6-1. PDRV districts do not permit new attachments to recreational vehicles other than open canvas awnings having no walls, rollup screen enclosures, pop-out units and similar attachments which are integral to the unit as originally manufactured. Portions of individual PDRV districts which permit recreational

vehicles shall be considered commercial and are limited to 12 sites per acre. ~~Park trailers with additions are permitted on designated sites within a PDRV.~~

A PDRV district may include sites designated for mobile home, subject to the limitations of the Comprehensive Plan regarding residential uses, and subject to the requirements of Section 513.014, Florida Statutes, so long as at least percent (51%) of the units within the site are designated for recreational vehicles.

603.9.3. *Permitted Accessory Uses and Structures for the Park or Subdivision.* Uses and structures which are customarily and clearly incidental to permitted principal uses and structures, shall be permitted.

603.9.3.1. Such accessory uses shall only include the following:

1. Non-commercial low intensity recreation facilities.
2. Centralized facilities for park/subdivision offices, maintenance facilities, dumping stations, toilets, showers and laundry, for the exclusive use of all ~~park/subdivision residents~~ park visitors.
3. ~~Manufactured~~ One mobile home, one-family or two family dwelling with a limit of two (2) dwelling units maximum, for the exclusive residence of the park/subdivision management or caretaker.
4. Centralized enclosed storage structures and storage garage facilities, with use limited to ~~park/subdivision residents~~ park visitors only. No such structure shall be located within any required yard setback, any required perimeter buffer of the recreational vehicle ~~park/subdivision~~, visibility triangle or any utility or drainage easement.
5. Accessory service uses for the exclusive use of the ~~park/subdivision residents~~ only, shall be limited to the following:

	Maximum Gross Floor Area
Retail sales establishments	1,000 sq. ft.
Personal service establishments	1,000 sq. ft.
Food service establishments	3,000 sq. ft.
Child care centers	3,000 sq. ft.
Recreational vehicle, model units, sales and service	7,500 sq. ft.

603.9.3.2. Non-commercial low intensity recreational facilities;

603.9.3.3. All Accessory Uses are subject to the following restrictions:

1. Such accessory service uses and the parking areas primarily related to their operations shall not occupy more than five ~~(5)~~ percent (5%) of the gross area of the park/~~subdivision~~ except for non-commercial outdoor recreation facilities.
2. Such non-retail accessory service uses shall present no visible evidence of the commercial character from any street outside the park/~~subdivision~~.
3. The structures housing such accessory service facilities shall be accessible only from a street within the park/~~subdivision~~.
4. Such uses otherwise conform to the applicable regulations of the NC Neighborhood Commercial District.
5. Accessory service uses shall be specifically requested with the application for PDRV.

603.9.4. *Review Criteria.*

603.9.4.1. *Nature of Surrounding Land Uses.* The nature of surrounding land uses shall be considered in order to ensure that the intensity of the recreational vehicle ~~development~~ park will not create external impacts that adversely affect surrounding uses.

The nature of surrounding land uses shall be considered in order to ensure that the intensity of the recreational vehicle ~~development~~ park provides, where appropriate, a transition between surrounding uses.

603.9.4.2. *Access.* Available access shall be evaluated in order to ensure that the intensity of the recreational vehicle ~~development~~ park will not adversely impede the free flow of traffic on the streets serving the district.

A PDRV shall be located so that no entrance or exit from the park shall discharge traffic onto any residential district, nor require movement of traffic from the park through a residential district.

603.9.4.3. *Site Plan Sufficiency.* The site plan shall be evaluated to ensure consistency with the following criteria:

1. *Landscaped and Pervious Area Requirements.* At least twenty (20) percent of the land area to the district shall be reserved for landscaping and permeable open areas, and shall be improved and maintained accordingly, such areas may include landscaped buffers, vegetated yards, parking area screening, landscaped islands, mulched or vegetated play or seating areas and areas paved with permeable paving blocks. No more than twenty-five ~~(25)~~

percent (25%) of the required landscaped and pervious area shall be composed of permeable paving block.

2. *Buffers.* Perimeter buffers shall be required along all streets abutting the PDRV and along all other boundaries.

There shall be a landscaped buffer strip not less than fifty (50) feet in depth along all streets abutting the PDRV, and a landscaped buffer strip not less than fifteen (15) feet in depth along the other boundaries of the recreational vehicle park except where such boundaries abut a residentially zoned district or an area designated in the Comprehensive Plan for residential development, where the buffer shall be seventy-five (75) feet. Streets shall not be permitted in the landscape buffer, except where providing direct access off-site and in such case shall run perpendicular through buffer. Screening shall be provided as appropriate.

3. *Dimensional Regulations.* PDRV projects shall be subject to the following dimensional requirements. Existing lots and sites in existing parks and subdivisions are exempt from the minimum site area and minimum lot width requirements.

Minimum Site Area For:	
<del>Park trailer (with or without additions)</del>	2,000 sq. ft.
Rec. Vehicle without attachments	1,200 sq. ft.
Site in designated camping area	1,200 sq. ft.
Non-residential site	10,000 sq. ft.
Dwelling unit	10,000 sq. ft.
Minimum Width For:	
<del>Park trailer</del> Mobile home site	35 feet
RV site	30 feet
Site in designated camping area	20 feet
Non-residential site	75 feet
Minimum Yard Non-Residential Dwelling Unit—See Neighborhood Commercial Small Standards	
Minimum Yards	5 feet
Maximum Height:	
Non-Residential	35 feet
Residential	15 feet

603.9.4.4. *Site Conditions, Flood Hazards.* Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion of the park subject to flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards. All recreational vehicle sites shall conform to the applicable requirements of Section 717, Stormwater Management and Section 718, Floodplain Management.

603.9.5. *Required Improvements for All Areas Except Designated Camping Areas.*

603.9.5.1. *Generally.* All standards and improvements required in the Manatee County Subdivision Regulations and Development Standards shall be required in PDRV projects; however, dedication of street rights-of-way to the County shall be prohibited for all internal streets.

603.9.5.2. *Utilities.* All recreational vehicles and recreational vehicle sites shall be connected to utilities in compliance with Manatee County Building Code, in a manner that maintains the ability of the owner of each recreational vehicle to manually disconnect and travel. Electrical meters shall not be energized for any ~~manufactured~~ mobile home site until a Certificate of Occupancy has been issued unless otherwise approved by the Building Official, in conjunction with a development order approval.

603.9.5.3. *Parking Pads and Tie-Downs Required.* Each site shall contain a stabilized vehicular parking pad composed of a dustless surface. Any recreational vehicle that the owner elects to tie down ~~Each recreational vehicle~~ shall be tied down in accordance with the Manatee County Building Code, manufacturer's instruction, or other applicable law, in a manner that maintains the ability of the owner of the recreational vehicle to manually disconnect and travel.

603.9.5.4. *Garbage and Trash.* Park management shall be strictly responsible for internal trash and garbage collection. Central park collection points shall be sited and screened in accordance with Section 728.

603.9.5.5. *Required Recreation/Emergency Storm Shelter Building.* Within all new and expanded PDRV projects containing twenty-five (25) or more recreational vehicle sites, a building shall be constructed which complies with Section 716.

603.9.6. *Required Improvements for Designated Camping Areas.*

603.9.6.1. *Streets.* Streets in such areas shall be private and properly stabilized. Private streets shall be paved with a smooth, dustless surface, clearly marked as to internal circulation and direction of travel; and the minimum width:

1. One-way vehicular travel—eighteen (18) feet of paving.
2. Two-way vehicular travel—twenty-four (24) feet of paving.
3. Cul-de-sac diameter—eighty (80) feet of paving.

603.9.6.2. *Parking Pads.* Each recreational vehicle site shall contain a dustless surface vehicular parking pad.

603.9.6.3. No ~~park trailers~~ mobile home sites shall be allowed in designated camping areas.

603.9.6.4. *Sanitary Facilities.* Sanitary facilities for designated camping areas shall be in accordance with requirements of the State of Florida and the County Health Unit and Section 718, Floodplain Management.

603.9.7. *Additions and Accessory Uses.* Additions and accessory uses are only allowed to ~~park trailers~~ mobile homes. The addition shall be of a similar construction and is limited to screen rooms, carports, laundry and storage rooms, and family room. The addition of bathrooms and bedrooms is prohibited.

603.9.8. *Application Requirements.* Each application for a PDRV district must clearly specify the type of units that are being requested and the designation of the sites where ~~park trailers~~ units will be located, including a specific description and location of an sites designated for mobile homes and sites designated for recreational vehicles.

Included in the request for additions shall be the type of materials, specifications, and dimensional guidelines for the additions.

603.9.9. *Review.* The review will include compliance with safety, flood protection, building and other Land eDevelopment eCode requirements.

603.9.10. *Limitations.* No recreational vehicle or ~~park trailer~~ mobile home shall be occupied in any area of the park except on a specifically approved site with individual sanitary, potable water and electrical hookups.

There shall be no encroachment (from the finish grade up) in the required yards except for eaves, gutters, and air conditioning equipment. Eaves and gutters shall

be at least eight (8) feet above grade and may extend two (2) feet into any required yard but not nearer than three (3) feet to a lot line.

603.9.11. *Time Limitations.* In new or expanded parks or subdivisions, recreational vehicles may remain on-site for a limited period of time, not to exceed one hundred eighty (180) days within any three hundred sixty-five (365) day period.

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## The 2013 Florida Statutes

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Title XXXIII  
REGULATION OF TRADE, COMMERCE,  
INVESTMENTS, AND SOLICITATIONS

Chapter 513  
MOBILE HOME AND  
RECREATIONAL VEHICLE PARKS

[View Entire  
Chapter](#)

### CHAPTER 513

#### MOBILE HOME AND RECREATIONAL VEHICLE PARKS

513.01 Definitions.

513.012 Public health laws; enforcement.

513.014 Applicability of recreational vehicle park provisions to mobile home parks.

513.02 Permit.

513.03 Application for and issuance of permit.

513.045 Permit fees.

513.05 Rules.

513.051 Preemption.

513.052 Inspection of premises.

513.053 Prosecution for violation; duty of state attorney.

513.054 Penalties for specified offenses by operator.

513.055 Revocation or suspension of permit; fines; procedure.

513.065 Enforcement; citations.

513.08 Disposal of sewage.

513.10 Operating without permit; enforcement of chapter; penalties.

513.1115 Placement of recreational vehicles on lots in permitted parks.

513.112 Maintenance of guest register and copy of laws.

513.114 Liability for property of guests.

513.115 Unclaimed property.

513.117 Park rules and regulations.

513.118 Conduct on premises; refusal of service.

513.121 Obtaining accommodations in a recreational vehicle park with intent to defraud; penalty; rules of evidence.

513.122 Theft of personal property; detention and arrest of violator; theft by employee.

513.13 Recreational vehicle parks; eviction; grounds; proceedings.

513.151 Recreational vehicle parks; guests in transient occupancy; operator's rights and remedies; writ of distress.

**513.01 Definitions.**—As used in this chapter, the term:

(1) "Department" means the Department of Health and includes its representative county health departments.

(2) "Lodging park" means a place set aside and offered by a person, for either direct or indirect remuneration of the operator of the place, in which 75 percent of the mobile homes or recreational vehicles or combination thereof are owned by the operator and offered for rent to the public and which is not licensed under chapter 509.

(3) "Mobile home" means a residential structure that is transportable in one or more sections, which structure is 8 body feet (2.4 meters) or more in width, over 35 feet in length with the hitch, built on an integral chassis, and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

(4) "Mobile home park" means a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more mobile homes.

(5) "Occupancy" means the length of time that a recreational vehicle is occupied by a transient guest and not the length of time that such vehicle is located on the leased recreational vehicle site. A recreational vehicle may be stored and tied down on site when not in use to accommodate the needs of the guest. The attachment of a recreational vehicle to the ground with tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms, and similar appurtenances with removable attaching devices, do not render the recreational vehicle a permanent part of the recreational vehicle site.

(6) "Operator" means the owner, operator, keeper, lessor, proprietor, manager, assistant manager, desk clerk, agent, or employee of a mobile home, lodging, or recreational vehicle park or a recreational camp who is designated by the permittee as the individual solely responsible for the daily operation of the park or camp and its compliance with this chapter and the rules adopted under this chapter.

(7) "Permittee" means a person who applies for and is granted a permit under this chapter and who is ultimately responsible for the operation of the mobile home, lodging, or recreational vehicle park or the recreational camp and the compliance of the park or camp with this chapter and the rules adopted under this chapter.

(8) "Person" means an individual, association, partnership, corporation, or governmental unit.

(9) "Recreational camp" means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for five or more resident members of the public and designed and operated for recreational purposes.

(10) "Recreational vehicle" has the same meaning as provided for the term "recreational vehicle-type unit" in s. 320.01. However, the terms "temporary living quarters" and "seasonal or temporary living quarters" as used in s. 320.01, in reference to recreational vehicles placed in recreational vehicle parks, relate to the period of time the recreational vehicle is occupied as living quarters during each year and not to the period of time it is located in the recreational vehicle park. During the time the recreational vehicle is not occupied as temporary or seasonal quarters, it may be stored and tied down on the recreational vehicle site. The affixing of a recreational vehicle to the ground by way of tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms, and similar appurtenances by way of removable attaching devices, does not render the recreational vehicle a permanent part of the recreational vehicle site.

(11) "Recreational vehicle park" means a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and the term also includes

buildings and sites set aside for group camping and similar recreational facilities. For the purposes of this chapter, the terms "campground," "camping resort," "RV resort," "travel resort," and "travel park," or any variations of these terms, are synonymous with the term "recreational vehicle park."

(12) "Transient guest" means any guest registered as provided in s. 513.112 for 6 months or less. When a guest is permitted with the knowledge of the park operator to continuously occupy a recreational vehicle in a recreational vehicle park for more than 6 months, there is a rebuttable presumption that the occupancy is nontransient, and the eviction procedures of part II of chapter 83 apply.

**History.**—s. 1, ch. 12419, 1927; CGL 4140; s. 1, ch. 19365, 1939; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 3, 14, 15, ch. 83-321; s. 6, ch. 84-182; s. 13, ch. 85-343; s. 1, ch. 87-193; ss. 1, 26, ch. 93-150; s. 146, ch. 97-101; s. 249, ch. 99-8; s. 2, ch. 2013-91.

**513.012 Public health laws; enforcement.**—It is the intent of the Legislature that mobile home parks, lodging parks, recreational vehicle parks, and recreational camps be regulated under this chapter. As such, the department shall administer and enforce, with respect to such parks and camps, laws and rules relating to sanitation, control of communicable diseases, illnesses and hazards to health among humans and from animals to humans, and the general health of the people of the state. However, nothing in this chapter qualifies a mobile home park, a lodging park, a recreational vehicle park, or a recreational camp for a liquor license issued under s. 561.20(2)(a)1. Mobile home parks, lodging parks, recreational vehicle parks, and recreational camps regulated under this chapter are exempt from regulation under the provisions of chapter 509.

**History.**—s. 5, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 2, ch. 93-150.

**513.014 Applicability of recreational vehicle park provisions to mobile home parks.**—A mobile home park that has five or more sites set aside for recreational vehicles shall, for those sites set aside for recreational vehicles, comply with the recreational vehicle park requirements included in this chapter. This section does not require a mobile home park with spaces set aside for recreational vehicles to obtain two licenses. However, a mobile home park that rents spaces to recreational vehicles on the basis of long-term leases is required to comply with the laws and rules relating to mobile home parks including but not limited to chapter 723, if applicable.

**History.**—s. 6, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 3, ch. 93-150.

**513.02 Permit.**—

- (1) A person may not establish or maintain a mobile home park, lodging park, recreational vehicle park, or recreational camp in this state without first obtaining a permit from the department. Such permit is not transferable from one place or person to another. Each permit must be renewed annually.
- (2) The department may refuse a permit to, or refuse to renew the permit of, any park or camp that is not constructed or maintained in accordance with law and with the rules of the department.
- (3) The department may suspend or revoke a permit issued to any person that operates or maintains such a park or camp if such person fails to comply with this chapter or the rules adopted by the department under this chapter.
- (4) A permit for the operation of a park or camp may not be renewed or transferred if the permittee has an outstanding fine assessed pursuant to this chapter which is in final-order status and judicial reviews are exhausted, unless the transferee agrees to assume the outstanding fine.
- (5) When a park or camp regulated under this chapter is sold or its ownership transferred, the transferee must apply for a permit to the department before the date of transfer. The applicant must

provide the department with a copy of the recorded deed or lease agreement before the department may issue a permit to the applicant.

**History.**—s. 2, ch. 12419, 1927; CGL 4141; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 439, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 4, 14, 15, ch. 83-321; s. 7, ch. 84-182; ss. 4, 26, ch. 93-150.

#### **513.03 Application for and issuance of permit.—**

(1) An application for a permit must be made in writing to the department, on a form prescribed by the department. The application must state the location of the existing or proposed park or camp, the type of park or camp, the number of mobile homes or recreational vehicles to be accommodated or the number of recreational campsites, the type of water supply, the method of sewage disposal, and any other information the department requires.

(2) If the department is satisfied, after reviewing the application of the proposed or existing park or camp and causing an inspection to be made, that the park or camp complies with this chapter and is so located, constructed, and equipped as not to be a source of danger to the health of the general public, the department shall issue the necessary permit, in writing, on a form prescribed by the department.

**History.**—s. 3, ch. 12419, 1927; CGL 4142; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 440, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 5, 14, 15, ch. 83-321; s. 8, ch. 84-182; ss. 5, 26, ch. 93-150.

#### **513.045 Permit fees.—**

(1)(a) Each person seeking a permit to establish, operate, or maintain a mobile home park, lodging park, recreational vehicle park, or recreational camp must pay to the department a fee, the amount of which shall be set by rule of the department.

(b) Fees established pursuant to this subsection must be based on the actual costs incurred by the department in carrying out its responsibilities under this chapter. The fee for a permit may not be set at a rate that is more than \$6.50 per space or less than \$3.50 per space. Until rules setting these fees are adopted by the department, the permit fee per space is \$3.50. The permit fee for a nonexempt recreational camp shall be based on an equivalency rate for which two camp occupants equal one space. The total fee assessed to an applicant may not be more than \$600 or less than \$50, except that a fee may be prorated on a quarterly basis.

(c) A recreational camp operated by a civic, fraternal, educational, or religious organization that does not rent to the public is exempt from the fee requirements of this subsection.

(2) Each local county health department shall collect the fees established pursuant to subsection (1) but may not collect any other fees for such permit.

<sup>1</sup>(3) Fees collected under this section shall be deposited in the County Health Department Trust Fund, to be administered by the department, and shall be used solely for actual costs incurred in implementing and enforcing this act.

**History.**—ss. 6, 15, ch. 83-321; s. 92, ch. 85-81; s. 16, ch. 93-120; ss. 6, 26, ch. 93-150; ss. 147, 148, ch. 97-101; s. 43, ch. 98-151.

<sup>1</sup>**Note.**—As amended by s. 16, ch. 93-120, and s. 147, ch. 97-101. Subsection (3) was also amended by s. 6, ch. 93-150, and s. 148, ch. 97-101, and that version reads:

(3) All fees collected by the department in accordance with this section and the rules adopted under this section shall be deposited into the respective county health department trust fund administered by the department for the payment of costs incurred in administering this chapter.

**513.05 Rules.**—The department may adopt rules pertaining to the location, construction, modification, equipment, and operation of mobile home parks, lodging parks, recreational vehicle parks, and recreational camps, except as provided in s. 633.206, as necessary to administer this chapter. Such

rules may include definitions of terms; requirements for plan reviews of proposed and existing parks and camps; plan reviews of parks that consolidate space or change space size; water supply; sewage collection and disposal; plumbing and backflow prevention; garbage and refuse storage, collection, and disposal; insect and rodent control; space requirements; heating facilities; food service; lighting; sanitary facilities; bedding; an occupancy equivalency to spaces for permits for recreational camps; sanitary facilities in recreational vehicle parks; and the owners' responsibilities at recreational vehicle parks and recreational camps.

**History.**—s. 5, ch. 12419, 1927; CGL 4144; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 442, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 7, 14, 15, ch. 83-321; s. 20, ch. 87-287; ss. 7, 26, ch. 93-150; s. 44, ch. 98-151; s. 47, ch. 2000-242; s. 147, ch. 2013-183.

**513.051 Preemption.**—The department is the exclusive regulatory and permitting authority for sanitary standards for all mobile home parks, lodging parks, recreational vehicle parks, and recreational camps in accordance with the provisions of this chapter.

**History.**—s. 8, ch. 93-150.

**513.052 Inspection of premises.**—The department or its agent shall inspect, at least annually, each park or camp that the department determines qualifies as a mobile home, lodging, or recreational vehicle park or a recreational camp; and, for that purpose, the department has the right of entry and access to such park or camp at any reasonable time.

**History.**—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 9, ch. 93-150.

**513.053 Prosecution for violation; duty of state attorney.**—The department or an agent of the department, upon ascertaining by inspection that a mobile home, lodging, or recreational vehicle park or a recreational camp is being operated contrary to the provisions of this chapter, shall make a complaint and cause the arrest of the violator; and the state attorney, upon request of the department or agent, shall prepare all necessary papers and conduct the prosecution. The department shall proceed in the courts by mandamus or injunction whenever such proceeding is necessary to the proper enforcement of the provisions of this chapter, of the rules adopted pursuant to this chapter, or of orders of the department.

**History.**—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 10, ch. 93-150.

**513.054 Penalties for specified offenses by operator.**—Any operator of a mobile home park, lodging park, or recreational vehicle park or a recreational camp who obstructs or hinders any agent of the department in the proper discharge of the agent's duties; who fails, neglects, or refuses to obtain a permit for the park or camp or pay the permit fee required by law; or who fails or refuses to perform any duty imposed upon the operator by law or rule is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. On each day that such park or camp is operated in violation of law or rule, there is a separate offense.

**History.**—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 128, ch. 91-224; s. 36, ch. 92-78; s. 11, ch. 93-150.

**513.055 Revocation or suspension of permit; fines; procedure.**—

(1)(a) The department may suspend or revoke a permit issued to any person for a mobile home park, lodging park, recreational vehicle park, or recreational camp upon the failure of that person to comply with this chapter or the rules adopted under this chapter.

(b) A permit may not be suspended under this section for a period of more than 12 months. At the end of the period of suspension, the permittee may apply for reinstatement or renewal of the permit. A

person whose permit is revoked may not apply for another permit for that location prior to the date on which the revoked permit would otherwise have expired.

(2)(a) In lieu of such suspension or revocation of a permit, the department may impose a fine against a permittee for the permittee's failure to comply with the provisions described in paragraph (1)(a) or may place such licensee on probation. No fine so imposed shall exceed \$500 for each offense, and all amounts collected in fines shall be deposited with the Chief Financial Officer to the credit of the County Health Department Trust Fund.

(b) In determining the amount of fine to be imposed, if any, for a violation, the department shall consider the following factors:

1. The gravity of the violation and the extent to which the provisions of the applicable statutes or rules have been violated.
2. Any action taken by the operator to correct the violation.
3. Any previous violation.

**History.**—ss. 9, 15, ch. 83-321; s. 9, ch. 84-182; s. 17, ch. 93-120; ss. 12, 26, ch. 93-150; ss. 149, 150, ch. 97-101; s. 568, ch. 2003-261.

#### **513.065 Enforcement; citations.—**

(1) If the department reasonably believes that a permittee has committed a violation of this chapter which affects the public health, safety, or sanitation, then the department may serve a citation on the permittee for such violation. However, the department must have previously notified the permittee of the violation and the permittee must have failed to timely correct the violation. Citations issued under this section are proposed agency action.

(2) Citations shall be in writing and shall describe the particular violation, including a specific reference to the provision of this chapter or rule promulgated hereunder alleged to have been violated.

(3) The department may seek to impose a fine not to exceed \$500 for each violation cited under this section. Each day a violation continues after an initial citation is issued is a separate violation for which a subsequent citation may be issued. However, if the initial citation is not upheld through an administrative hearing under chapter 120, any subsequent citation for the same violation is void.

(4) Citations shall contain a conspicuous written notice of the permittee's right to request a hearing under chapter 120 within 21 days after the date of receiving the citation and shall contain a description of the procedures to be followed to request such a hearing. Citations shall contain a conspicuous statement that if the permittee fails to timely request an administrative hearing, the permittee may be deemed to have waived the right to an administrative hearing. The statement shall also warn that if the permittee does not request a hearing, the citation becomes final agency action and if the permittee fails to pay the fine within 60 days after the date of receiving the citation, the permittee will be required to pay the maximum fine or penalty.

(5) The department may reduce or waive any civil penalty initially sought to be imposed through a citation. In determining whether to reduce or waive a fine under this section, the department shall use the criteria in s. 513.055(2)(b).

(6) This section is an alternative means of enforcing this chapter. Nothing contained in this section prohibits the department from enforcing this chapter or the rules adopted thereunder by any other means permitted under this chapter. However, the department may only use a single enforcement procedure for any one violation.

(7) Citations issued under this section shall be served on the permittee or individual at the park or camp designated by the permittee except that service may be made by a department designee if

designated by rule to effect such service.

**History.**—s. 13, ch. 93-150; s. 25, ch. 97-98.

#### **513.08 Disposal of sewage.—**

(1) It is unlawful to empty any receptacle or fixture containing human excreta, human urine, or any other liquid waste from a mobile home or recreational vehicle or at a recreational campsite except into a sewerage system approved by the department.

(2) The operator or permittee of a mobile home park, lodging park, recreational vehicle park, or recreational camp shall provide such means for the emptying of such receptacles and for their cleaning as specified in the rules of the department.

**History.**—s. 1, ch. 19365, 1939; CGL 1940 Supp. 4150(2); ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 445, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 8, 14, 15, ch. 83-321; ss. 14, 26, ch. 93-150.

#### **513.10 Operating without permit; enforcement of chapter; penalties.—**

(1) Any person who maintains or operates a mobile home park, lodging park, recreational vehicle park, or recreational camp without first obtaining a permit as required by s. 513.02, or who maintains or operates such a park or camp after revocation of the permit, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) This chapter or rules adopted under this chapter may be enforced in the manner provided in s. 381.0012 and as provided in this chapter. Violations of this chapter and the rules adopted under this chapter are subject to the penalties provided in this chapter and in s. 381.0061.

**History.**—s. 1, ch. 19365, 1939; CGL 1940 Supp. 7849(a); s. 1, ch. 59-214; s. 3, ch. 76-168; s. 1, ch. 77-457; s. 6, ch. 80-351; ss. 2, 3, ch. 81-318; ss. 10, 14, 15, ch. 83-321; s. 10, ch. 84-182; s. 129, ch. 91-224; s. 57, ch. 91-297; ss. 15, 26, ch. 93-150; s. 125, ch. 2012-184.

#### **513.115 Placement of recreational vehicles on lots in permitted parks.—**

(1) Separation distances between recreational vehicle sites within a recreational vehicle park must be the distances established at the time of the initial approval of the recreational vehicle park by the department and the local government.

(2) Setback distances from the exterior property boundary of the recreational vehicle park must be the setback distances established at the time of the initial approval by the department and the local government.

(3) This section does not limit the regulation of the uniform firesafety standards established under ~~s.~~ 633.022.

**History.**—s. 3, ch. 2013-91.

<sup>1</sup>**Note.**—Redesignated as s. 633.206 by s. 23, ch. 2013-183.

#### **513.112 Maintenance of guest register and copy of laws.—**

(1) It is the duty of each operator of a recreational vehicle park that rents to transient guests to maintain at all times a register, signed by or for guests who occupy rental sites within the park. The register must show the dates upon which the rental sites were occupied by such guests and the rates charged for the guests' occupancy. This register shall be maintained in chronological order and shall be available for inspection by the department at any time. An operator is not required to retain a register that is more than 2 years old.

(2) Such operator shall maintain at all times a current copy of this chapter in the park office, which shall be made available to a member of the public upon request.

**History.**—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 17, ch. 93-150.

**513.114 Liability for property of guests.—**

(1) The operator of a recreational vehicle park is not under any obligation to accept for safekeeping any moneys, securities, jewelry, or precious stones of any kind belonging to any guest; and, if such properties are accepted for safekeeping, the operator is not liable for the loss of any of the properties unless such loss was the proximate result of fault or negligence of the operator. However, if the recreational vehicle park gave a receipt for the property, which receipt had a statement of the property value on a form which stated, in type large enough to be clearly noticeable, that such park was not liable for a greater amount than \$1,000 for any loss exceeding \$1,000 and was only liable for an amount up to \$1,000 if the loss was the proximate result of fault or negligence of the operator, the liability of the operator is limited to \$1,000 for such loss.

(2) The operator of a recreational vehicle park is not liable or responsible to any guest for the loss of wearing apparel, goods, or other property, except as provided in subsection (1), unless such loss occurred as the proximate result of fault or negligence of such operator; and, in case of fault or negligence, the operator is not liable for a greater sum than \$500, unless the guest, prior to the loss or damage, filed with the operator an inventory of the guest's effects and their value and the operator was given an opportunity to inspect such effects and check them against such inventory. The operator of a recreational vehicle park is not liable or responsible to any guest for a greater amount than \$1,000 for the loss of effects listed in such inventory as having a value of a total amount exceeding \$1,000.

*History.—*s. 11, ch. 84-182; s. 1, ch. 85-65; s. 63, ch. 87-225; s. 36, ch. 92-78; s. 18, ch. 93-150.

**513.115 Unclaimed property.—**Any property having an identifiable owner which is left in a recreational vehicle park by a guest, other than property belonging to a guest who has vacated the premises without notice to the operator and with an outstanding account, which property remains unclaimed after having been held by the park for 90 days after written notice was provided to the guest or the owner of the property, becomes the property of the park.

*History.—*s. 13, ch. 84-182; s. 1, ch. 85-65; s. 64, ch. 87-225; s. 36, ch. 92-78; s. 19, ch. 93-150.

**513.117 Park rules and regulations.—**Any operator of a recreational vehicle park may establish reasonable rules and regulations for the management of the park and its guests and employees; and each guest or employee staying, sojourning, or employed in the park shall conform to, and abide by, such rules and regulations so long as the guest or employee remains in or at the park. Such rules and regulations are deemed to be a special contract between the operator and each guest or employee using the facilities or services of the recreational vehicle park and control the liabilities, responsibilities, and obligations of all parties. Any rules or regulations established pursuant to this section must be printed in the English language and posted, together with a copy of ss. 513.114, 513.121, and 513.13 and a notice stating that a current copy of this chapter is available in the park office for public inspection, in the registration area of such recreational vehicle park.

*History.—*s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 20, ch. 93-150.

**513.118 Conduct on premises; refusal of service.—**The operator of a recreational vehicle park may refuse accommodations or service to any person whose conduct on the premises of the park displays intoxication, profanity, lewdness, or brawling; who indulges in such language or conduct as to disturb the peace or comfort of other guests; who engages in illegal or disorderly conduct; or whose conduct constitutes a nuisance. Such refusal of accommodations or service shall not be based upon race, color, national origin, sex, physical disability, or creed.

**History.**—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 21, ch. 93-150.

**513.121 Obtaining accommodations in a recreational vehicle park with intent to defraud; penalty; rules of evidence.—**

(1) Any person who obtains accommodations in a recreational vehicle park which have a value of less than \$300 on a transient basis, with intent to defraud the operator of the park, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; if such accommodations have a value of \$300 or more, such person is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) In a prosecution under subsection (1), proof that the accommodations were obtained by false pretense; by false or fictitious show of property; by absconding without paying, or offering to pay, for such accommodations; or by surreptitiously removing, or attempting to remove, a recreational vehicle, park trailer, or tent constitutes prima facie evidence of fraudulent intent. If the operator of the park has probable cause to believe, and does believe, that any person has obtained accommodations at the park with intent to defraud the operator of the park, the failure to make payment upon demand for payment, there being no dispute as to the amount owed, constitutes prima facie evidence of fraudulent intent.

**History.**—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 131, ch. 91-224; s. 36, ch. 92-78; s. 22, ch. 93-150.

**513.122 Theft of personal property; detention and arrest of violator; theft by employee.—**

(1) Any law enforcement officer or operator of a recreational vehicle park who has probable cause to believe, and does believe, that theft of personal property belonging to such park has been committed by a person and that the officer or operator can recover such property or the reasonable value thereof by taking the person into custody may, for the purpose of attempting to effect such recovery or for prosecution, take such person into custody on the premises and detain such person in a reasonable manner and for a reasonable period of time. If the operator takes the person into custody, a law enforcement officer shall be called to the scene immediately. The taking into custody and detention by a law enforcement officer or an operator of a recreational vehicle park, if done in compliance with this subsection, does not render such law enforcement officer or operator criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

(2) Any law enforcement officer may arrest, either on or off the premises and without warrant, any person if there is probable cause to believe that person has committed theft in a recreational vehicle park.

(3) Any person who resists the reasonable effort of a law enforcement officer or an operator of a recreational vehicle park to recover property that the law enforcement officer or operator has probable cause to believe had been stolen from the recreational vehicle park and who is subsequently found to be guilty of theft of the subject property is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, unless such person did not know, or did not have reason to know, that the person seeking to recover the property was a law enforcement officer or the operator of the recreational vehicle park. For purposes of this section, the charge of theft and the charge of resisting apprehension may be tried concurrently.

(4) Theft of any property belonging to a guest of a recreational vehicle park permitted under this chapter, or of property belonging to such a park, by an employee of the park or by an employee of a person that has contracted to provide services to the park constitutes a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

**History.**—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 23, ch. 93-150.

**513.13 Recreational vehicle parks; eviction; grounds; proceedings.—**

(1) The operator of any recreational vehicle park may remove or cause to be removed from such park, in the manner provided in this section, any transient guest of the park who, while on the premises of the park, illegally possesses or deals in a controlled substance as defined in chapter 893 or disturbs the peace and comfort of other persons; who causes harm to the physical park; or who fails to make payment of rent at the rental rate agreed upon and by the time agreed upon. The admission of a person to, or the removal of a person from, any recreational vehicle park shall not be based upon race, color, national origin, sex, physical disability, or creed.

(2) The operator of any recreational vehicle park shall notify such guest that the park no longer desires to entertain the guest and shall request that such guest immediately depart from the park. Such notice shall be given in writing. If such guest has paid in advance, the park shall, at the time such notice is given, tender to the guest the unused portion of the advance payment. Any guest who remains or attempts to remain in such park after being requested to leave is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) If a guest has accumulated an outstanding account in excess of an amount equivalent to three nights' rent at a recreational vehicle park, the operator may disconnect all utilities of the recreational vehicle and notify the guest that the action is for the purpose of requiring the guest to confront the operator or permittee and arrange for the payment of the guest's account. Such arrangement must be in writing, and a copy shall be furnished to the guest. Upon entering into such agreement, the operator shall reconnect the utilities of the recreational vehicle.

(4) If any person is illegally on the premises of any recreational vehicle park, the operator of such park may call upon any law enforcement officer of this state for assistance. It is the duty of such law enforcement officer, upon the request of such operator, to place under arrest and take into custody for violation of this section any guest who violates subsection (1) or subsection (2) in the presence of the officer. If a warrant has been issued by the proper judicial officer for the arrest of any violator of subsection (1) or subsection (2), the officer shall serve the warrant, arrest the person, and take the person into custody. Upon arrest, with or without warrant, the guest is deemed to have given up any right to occupancy or to have abandoned the guest's right to occupancy of the premises of the recreational vehicle park; and the operator of the park shall employ all reasonable and proper means to care for any personal property left on the premises by such guest and shall refund any unused portion of moneys paid by such guest for the occupancy of such premises.

(5) In addition to the grounds for eviction established by law, grounds for eviction may be established in a written lease agreement between a recreational vehicle park operator or permittee and a recreational vehicle park occupant.

**History.**—ss. 11, 15, ch. 83-321; s. 12, ch. 84-182; s. 93, ch. 85-81; s. 132, ch. 91-224; ss. 24, 26, ch. 93-150.

**513.151 Recreational vehicle parks; guests in transient occupancy; operator's rights and remedies; writ of distress.—**This section applies only to guests in transient occupancy in a recreational vehicle park.

**(1) OPERATOR'S RIGHT TO DISCONNECT UTILITIES.—**

(a) If an operator of a recreational vehicle park makes a reasonable determination that a guest has accumulated a large outstanding account at such park, the operator may disconnect all utilities of the recreational vehicle or tent, except that the operator must not by such actions create a sanitary

nuisance. The operator may also take such other measures considered necessary for the purpose of requiring the guest to confront the operator and arrange for payment on the guest's account. Such arrangement must be in writing, and a copy shall be furnished to the guest.

(b) Once the guest has confronted the operator and made arrangement for payment on the guest's account, the operator shall reconnect the utilities of the recreational vehicle or tent, or otherwise reverse the measures taken under paragraph (a).

(2) **OPERATOR'S RIGHT TO RECOVER PREMISES.**—If the guest of a recreational vehicle park vacates the premises without notice to the operator and the operator reasonably believes the guest does not intend to satisfy the outstanding account, the operator may recover the premises by removing the recreational vehicle or tent from the site. The operator shall take all reasonable and proper means to care for the recreational vehicle or tent until a settlement or a final court judgment is obtained on the guest's outstanding account. Upon recovery of the premises, the operator shall seal, or cause to be sealed, the recreational vehicle in the presence of at least one other person who is not an agent of the operator or shall make an itemized inventory of any property belonging to the guest and store such property until a settlement or a final court judgment is obtained on the guest's outstanding account. Such inventory shall be conducted by the operator and at least one other person who is not an agent of the operator.

(3) **OPERATOR'S WRIT OF DISTRESS.**—If, after there has been a disconnection of utilities pursuant to subsection (1), a guest fails to make the agreed-upon payments on the guest's account, or, notwithstanding subsection (1), if a guest vacates the premises without making payment on the guest's outstanding account, the operator may proceed to prosecute a writ of distress against the guest and the guest's property. The writ of distress must be predicated on the lien created by s. 713.77.

(a) An action under this subsection must be brought in a court of appropriate jurisdiction in the county where the property is located. If the property consists of separate articles, the value of any one of which articles is within the jurisdictional amount of a lower court but the total value of which articles, taken together, exceeds that jurisdictional amount, the plaintiff may not divide the property to give jurisdiction to the lower court so as to enable the plaintiff to bring separate actions for the property.

(b) To obtain an order authorizing the issuance of a writ of distress upon final judgment, the plaintiff must first file with the clerk of the court a complaint reciting and showing the following information:

1. A statement of the amount of the guest's account at the recreational vehicle park.
2. A statement that the plaintiff is the operator of the recreational vehicle park in which the guest has an outstanding account. If the plaintiff's interest in such account is based on written documents, copies of such documents must be attached to the complaint.
3. A statement that the operator has made a reasonable attempt to obtain payment from the guest for an outstanding account, either by confronting the guest or by a disconnection of utilities pursuant to subsection (1), and a statement that the guest has failed to make any payment or that the guest has vacated the premises without paying the outstanding account.
4. A statement that the account is outstanding and unpaid by the guest; a statement of the services provided to the guest for which the outstanding account was accumulated; and a statement of the cause of such nonpayment according to the best knowledge, information, and belief of the plaintiff.
5. A general statement as to what property the plaintiff is requesting levy against, including the property included in the inventory conducted pursuant to subsection (2) if the operator has recovered

the premises, and a statement of the authority under which the plaintiff has a lien against such property.

6. A statement, to the best of the plaintiff's knowledge, that the claimed property has not been taken for a tax, assessment, or fine pursuant to law or taken under an execution or attachment by order of any court.

(c) The officer of the court to whom a writ of distress is directed shall execute the writ of distress by serving it on the defendant and by levying on the property distrainable for services rendered, if such property is found within the area of the officer's jurisdiction. If the property is not found in that jurisdiction but is in another jurisdiction, the officer shall deliver the writ to the proper authority in the other jurisdiction. The writ shall be executed by levying on such property and delivering it to the officer of the court in which the action is pending, and the property shall be disposed of according to law, unless the officer is ordered by such court to hold the property and dispose of it according to law. If the defendant cannot be found, the levy on the property suffices as service of the writ on the defendant if the plaintiff and the officer each file a sworn statement stating that the whereabouts of the defendant are unknown.

**(4) OPERATOR'S PREJUDGMENT WRIT OF DISTRESS.—**

(a) A prejudgment writ of distress may issue, and the property seized may be delivered forthwith to the plaintiff, if the nature of the claim, the amount of the claim, and the grounds relied upon for the issuance of the writ clearly appear from specific facts shown by the verified petition or by a separate affidavit of the plaintiff.

(b) The prejudgment writ of distress may issue if the court finds, pursuant to paragraph (a), that the defendant has failed to make payment as agreed and that the defendant is engaging in, or is about to engage in, conduct that may place the claimed property in danger of being destroyed, being concealed, being removed from the state, being removed from the jurisdiction of the court, or being transferred to an innocent purchaser during the pendency of the action.

(c) A prejudgment writ of distress may issue only upon a signed order of a circuit judge or a county court judge. The prejudgment writ of distress must include a notice of the defendant's right to an immediate hearing before the court issuing the writ.

(d) The plaintiff must post bond in the amount of twice the estimated value of the goods subject to the writ or twice the balance of the outstanding account, whichever is the lesser amount as determined by the court, as security for the payment of damages the defendant may sustain if the writ is wrongfully obtained.

(e) The prejudgment writ issued under this subsection must command the officer to whom it may be directed to distrain the described personal property of the defendant and hold such property until final judgment is rendered.

(f)1. The defendant may obtain release of the property seized under a prejudgment writ of distress by posting bond with a surety within 10 days after service of the writ, in the amount of 125 percent of the claimed outstanding account, for the satisfaction of any judgment that may be rendered against the defendant, conditioned upon delivery of the property if the judgment should require it.

2. As an alternative to the procedure prescribed in subparagraph 1., the defendant, by motion filed with the court within 10 days after service of the writ, may obtain the dissolution of a prejudgment writ of distress, unless the plaintiff proves the grounds upon which the writ was issued. The court shall set such motion for an immediate hearing.

**(5) INVENTORY OF DISTRAINED PROPERTY.—**When the officer seizes distrainable property, either

under paragraph (3)(c) or paragraph (4)(e), and such property is seized on the premises of a recreational vehicle park, the officer shall inventory the property; hold those items which, upon the officer's appraisal, would satisfy the plaintiff's claim; and return the remaining items to the defendant. If the defendant cannot be found, the officer shall hold all items of property seized. The officer may release the property only pursuant to law or a court order.

(6) EXECUTION ON PROPERTY IN POSSESSION OF THIRD PERSON.—If the property to be distrained is in the possession of the defendant at the time of the issuance of a writ under subsection (3) or a prejudgment writ under subsection (4) and the property passes into the possession of a third person before the execution of the writ, the officer holding the writ shall execute it on the property in the possession of the third person and shall serve the writ on the defendant and the third person; and the action, with proper amendments, shall proceed against the third person.

(7) CLAIM BY THIRD PERSON TO DISTRAINED PROPERTY.—A third person claiming any property distrained pursuant to this chapter may interpose and prosecute a claim for that property in the same manner as is provided for similar cases of claim to property levied on under execution.

(8) JUDGMENT.—

(a) *For plaintiff.*—

1. If it appears that the account stated in the complaint is wrongfully unpaid, and the property described in such complaint is the defendant's and was held by the officer executing the prejudgment writ, the plaintiff shall have judgment for the damages sustained by the plaintiff, which judgment may include reasonable attorney's fees and costs, by taking title to the defendant's property in the officer's possession or by having the property sold as prescribed in subsection (9).

2.a. If it appears that the property was retained by, or redelivered to, the defendant on the defendant's forthcoming bond, either under subparagraph (4)(f)1. or subparagraph (4)(f)2., the plaintiff shall take judgment for the property, which judgment may include reasonable attorney's fees and costs, and against the defendant and the surety on the forthcoming bond for the value of the outstanding account; and the judgment, which may include reasonable attorney's fees and costs, shall be satisfied by the recovery and sale of the property or the amount adjudged against the defendant and the defendant's surety.

b. After the judgment is rendered, the plaintiff may seek a writ of possession for the property and execution for the plaintiff's costs or may have execution against the defendant and the defendant's surety for the amount recovered and costs. If the plaintiff elects to have a writ of possession for the property and the officer returns that the officer is unable to find the property or any part of it, the plaintiff may immediately have execution against the defendant and the defendant's surety for the whole amount recovered less the value of any property found by the officer. If the plaintiff has execution for the whole amount, the officer shall release all property taken under the writ of possession.

c. In any proceeding to ascertain the value of the property so that judgment for the value may be entered, the value of each article must be found. When a lot of goods, wares, or merchandise has been distrained, it is sufficient to ascertain the total value of the entire lot found, and it is not necessary to ascertain the value of each article of the lot.

(b) *For defendant.*—

1. If property has been retained by, or redelivered to, the defendant on the defendant's forthcoming bond or upon the dissolution of a prejudgment writ and the defendant prevails, the defendant shall have judgment against the plaintiff for any damages of the defendant for the taking of

the property, which judgment may include reasonable attorney's fees and costs.

2. If the property has not been retained by, or redelivered to, the defendant and the defendant prevails, judgment shall be entered against the plaintiff for possession of the property, which judgment may include reasonable attorney's fees and costs.

3. The remedies provided in this paragraph do not preclude any other remedies available under the laws of this state.

**(9) SALE OF DISTRAINED PROPERTY.—**

(a) If the judgment is for the plaintiff, the property in whole or in part shall, at the plaintiff's option pursuant to subparagraph (8)(a)1. or subparagraph (8)(a)2., be sold and the proceeds applied to the payment of the judgment.

(b) Before any property levied on is sold, it must be advertised two times, the first advertisement being at least 10 days before the sale. All property so levied on may be sold on the premises of the recreational vehicle park or at the courthouse door.

(c) If the defendant appeals and obtains a writ of supersedeas before sale of the property, the officer executing the writ shall hold the property, and there may not be any sale or disposition of the property until final judgment is had on appeal.

**(10) EXEMPTIONS FROM DISTRESS AND SALE.—**The following property of a guest is exempt from distress and sale under this chapter:

(a) From final distress and sale: clothing; and items essential to the health and safety of the guest.

(b) From prejudgment writ of distress: clothing; items essential to the health and safety of the guest; and any tools of the guest's trade or profession, business papers, or other items directly related to such trade or profession.

**History.—**s. 13, ch. 84-182; s. 1, ch. 85-65; s. 94, ch. 85-81; s. 36, ch. 92-78; s. 25, ch. 93-150.

**Copy of Newspaper Advertising**

**Sarasota Herald Tribune**

**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, adopted with modifications, or denied.

Date: Thursday, November 14, 2013  
Time: 9:00 AM or soon thereafter  
Place: Manatee County Government Administrative Center  
1112 Manatee Avenue West,  
1st Floor Chambers

**LDCT-13-03/ORDINANCE 14-01 FKA ORD. 13-31 – LAND DEVELOPMENT CODE TEXT AMENDMENT FOR PARK TRAILERS**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING SECTION 201 OF THE LAND DEVELOPMENT CODE TO PROVIDE NEW OR REVISED DEFINITIONS AND TO DELETE CERTAIN OBSOLETE DEFINITIONS; AMENDING SECTIONS 603.8 (PDMH - PLANNED DEVELOPMENT MANUFACTURED HOME) AND 603.9 (PDRV - PLANNED DEVELOPMENT RECREATIONAL VEHICLE) OF THE LAND DEVELOPMENT CODE FOR CONSISTENCY WITH FLORIDA STATUTES; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

**LDCT-13-04/ORDINANCE 14-02 – fka Ordinance 13-40 – LAND DEVELOPMENT CODE TEXT AMENDMENT FOR BONDS**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING AND RESTATING SECTION 719.10; AMENDING CHAPTER 9 TO ESTABLISH SECTION 910 GOVERNING THE INSTALLATION OF SUBDIVISION IMPROVEMENTS; RENAMNG SECTION 722; AND REPEALING SECTION 722.3 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; 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 also 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, 4<sup>th</sup> Floor, Bradenton, Florida; telephone number (941) 748-4501 EXT. 6878; e-mail to: [planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

Rules of procedure for this public hearing are in effect pursuant to Resolution 05-239(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 4<sup>th</sup> 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

Copy of Newspaper Advertising

Bradenton Herald

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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

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# MANATEE COUNTY GOVERNMENT

## AGENDA MEMORANDUM

<b>SUBJECT</b>	LDCT-13-04/Ordinance14-02 fka Ordinance 13-40 – Land Development Code Text Amendment for Bonds	<b>TYPE AGENDA ITEM</b>	Advertised Public Hearing – Regular
<b>DATE REQUESTED</b>	11/14/13 PC	<b>DATE SUBMITTED/REVISED</b>	11/7/13
<b>BRIEFINGS? Who?</b>	No	<b>CONSEQUENCES IF DEFERRED</b>	N/A
<b>DEPARTMENT/DIVISION</b>	Building & Development Services Department/Comprehensive Planning and Public Hearings	<b>AUTHORIZED BY TITLE</b>	Lisa Barrett, Planning Division Manager
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Kathleen Thompson, AICP, Planning Manager/748-4501 ext. 6841	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Kathleen Thompson, AICP/ Planning Manager/748-4501 ext.6878
<b>ADMINISTRATIVE APPROVAL</b>			

<b>ACTION DESIRED</b> INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
I move to recommend approval of Ordinance14-02 per the recommended motion in the staff report attached to this memo.

<b>ENABLING/REGULATING AUTHORITY</b> 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.

<b>BACKGROUND/DISCUSSION</b>
<ul style="list-style-type: none"> <li>• The Land Development Code requires private improvements within a subdivision to have a security bond to cover 200% the cost of construction plus a 3% administrative fee.</li> <li>• With the down turn in the economy and tighter lending regulations, developers are not able to secure such a large bond from financial institutions.</li> <li>• Staff recommends the security performance for private improvements be equal to the percentage required for public improvements which is 130% of the current cost of construction.</li> <li>• Staff also recommends the wetland mitigation security bond be increased from the current 115% to equal the same percent required for public/private improvements (130%). The additional percent represents the cost estimate plus the addition of potential CIP adjustments, project contingency and indirect costs.</li> <li>• The procedural requirements for installation and bonding of subdivision improvements is being removed from Section 722.3 and put back in Chapter 9 - Subdivision Standards with a new Section 910.</li> </ul>

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

<input type="checkbox"/>	OTHER
--------------------------	-------

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

**P.C. 11/14/13**

**LDCT-13-04/ORDINANCE 14-02 fka 13-40**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING AND RESTATING SECTION 719.10; AMENDING CHAPTER 9 TO ESTABLISH SECTION 910 GOVERNING THE INSTALLATION OF SUBDIVISION IMPROVEMENTS; RENAMNG SECTION 722; AND REPEALING SECTION 722.3 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**P.C.: 11/14/13**

**B.O.C.C.: 12/05/13, 01/09/14**

**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 14-02 fka 13-40, amending the Manatee County Land Development Code (Ordinance 90-01, as amended), as recommended by staff.**

## **SUMMARY/BACKGROUND**

The procedural requirements for installation and bonding of subdivision improvements is being removed from Section 722.3 and put back in Chapter 9 - Subdivision Standards with a new Section 910.

Currently, the Land Development Code requires private improvements within a subdivision to have a security bond to cover 200% the cost of construction plus a 3% administrative fee. With the down turn in the economy and tighter lending regulations, developers are not able to secure such a large bond from financial institutions. Therefore, staff recommends the security performance for private improvements be equal to the percentage required for public improvements. A security performance for public improvements within a subdivision is equal to 130% of the current cost of construction.

Staff also recommends the wetland mitigation security bond be increased to equal the same percent required for public/private improvements (130%). The 130% represents 100% cost estimate plus the addition of potential CIP adjustments, project contingency and indirect costs.

## **PROPOSED AMENDMENTS**

1. SECTION 722 – *INSTALLATION OF REQUIRED IMPROVEMENTS* REPEALED AND RENAMED *PERFORMANCE STANDARDS FOR REQUIRED IMPROVEMENTS*
2. NEW SECTION 910 (CHAPTER 9 – SUBDIVISION STANDARDS) - *INSTALLATION OF REQUIRED IMPROVEMENTS*
3. SECTION 719.10 *MITIGATION SECURITY* - INCREASE SECURITY BOND PERCENTAGE TO EQUAL PERCENT REQUIRED FOR PUBLIC/PRIVATE IMPROVEMENTS.

## **TEXT CHANGES SHOWN IN STRIKE THRU/UNDERLINE FORMAT**

### **Part 1. Repeal and Rename**

#### **Section 722 – ~~Installation of~~ Performance Standards for Required Improvements**

##### ~~722.3. Installation of Improvements.~~

##### ~~722.3.1. General Requirements.~~

~~722.3.1.1. Generally. Prior to approval of the final plat or final site plan where no plat is required, the developer shall install, at his sole expense, all improvements required under this Code in accordance with Construction Drawings approved under Section 904, Construction~~

~~Drawings. In lieu of installation prior to final plat approval, the Board may permit the posting of performance security for such installation in accordance with Section 722.3.2 below, provided that an agreement acceptable to Manatee County is executed by the Board. Such agreement shall include the terms of such security and developer responsibility and liability for all such required improvements regardless of the amount of the security. For subdivisions with private improvements, this agreement shall also contain the following:~~

- ~~a. Authorizing County access to the property and use of construction plans and permits, as agent of the property owner, to complete any required improvements secured with the performance security if such improvements are not completed within one (1) year;~~
- ~~b. Providing indemnification for the County and holding the County harmless for any work performed in installing said improvements;~~
- ~~c. Agreeing that the County shall construct any of said improvements consistent with the approved construction drawings and that the property owner shall be responsible for any expenses incurred by Manatee County to complete such improvements, regardless of the amount of the security, and~~
- ~~d. Agreeing the County is not responsible to repair or replace improvements or landscaping which may be reasonably damaged or disturbed in performing said installation of improvements.~~

~~Said agreement shall apply to and be enforceable against the property owner and its heirs, assigns and successors in interest. The agreement shall be recorded in the Public Records of Manatee County Florida.~~

~~For all phased projects with public or private improvements, the property owner shall provide documentation of appropriate easements and adequate infrastructure capacity for access, drainage and utilities, to serve the phase under review and any subsequent phases of a project.~~

~~722.3.1.2. *Development by Governmental Units.* In lieu of requiring performance security for the installation of required improvements, the Board may permit governmental units to submit a certified resolution, ordinance, or other written assurance from its officers or agents, agreeing to install such improvements within a specified time.~~

~~722.3.1.3. *Commencement of Construction.* No clearing, grading, drainage, or other construction activities connected with the subdivision application, except brush removal in connection with surveying, shall commence on the site until all required Construction Drawings are approved and all applicable Federal, State and County permits are obtained. Authorized brush removal shall not be deemed to include removal or damaging of any trees protected by Section 714, Tree Protection. Where any applicable Federal or State permit is associated with only a specific area of the~~

~~site or component of development, work may proceed on the remaining portion of the development after written notification is made to all permitting authorities by the applicant with proof of notification to Manatee County Planning Department. If the developer elects to proceed with any construction and it is determined by any subsequent action or denial by a Federal or State agency having jurisdiction, all construction shall be immediately halted and all affected lands shall be restored to the original condition, and development plans shall be resubmitted to the County for approval, in accordance with the stipulations set forth by the Federal or State agency having jurisdiction. All construction commenced without the approvals of any applicable Federal or State agency shall be at the developer's risk and expense.~~

*722.3.2. Performance Security.*

~~722.3.2.1. *Generally.* Where the Board permits the posting of performance security for the installation of improvements, including public streets, drainage, landscaping, utilities, sidewalks and bikeways, or private streets, drainage, landscaping and utilities, in lieu of actual installation prior to final plat approval, the developer shall provide in his application for final plat approval evidence of security adequate to assure the installation of all required improvements including required survey under Section 907, for the subdivision. Sidewalks on individual lots shall be installed prior to issuance of a Certificate of Occupancy for the construction on that lot.~~

~~722.3.2.2.1 *Form, Amount Public or Private Improvements.* Such performance security shall comply with all statutory requirements and shall be satisfactory to the County as to form and manner of execution. The amount of such security shall be based upon an estimate by the engineer and surveyor of record, and shall be subject to approval of the Planning Public Works Department. The performance security shall be equal to the maximum cost, adjusted for inflation during the maximum effective period of the security, for the uncompleted portion of required improvements; provided, however, such amount shall be one hundred thirty (130) percent of the current construction costs of such improvements, for subdivisions with public or private improvements and two hundred (200) percent of the current construction costs, plus a three (3) percent administrative fee, for subdivisions with private improvements. The collection on such security shall be at a location within fifty (50) miles of the county seat of Manatee County. Such~~

performance security shall include cash, letters of credit, surety bonds or other forms of security satisfactory to the county.

~~722.3.2.3. *Effective Period.* The performance security shall remain in effect until the required improvements are accepted or in the case of private improvements, approved by the County. Required improvements secured by performance security shall be completed within one (1) year of the date of recording of the Final Plat, except for sidewalks and bikeways located in front of individual residential lots on local streets, shall be completed within three (3) years of the date of recording of the Final Plat. Performance security in lieu of the actual installation of sidewalks and bikeways will be accepted for a maximum of three (3) years from the recording of the Final Plat, at which time the uncompleted portion is required to be completed.~~

~~722.3.2.4. *Approval.* Performance security provided under this paragraph shall be subject to approval by the Board.~~

~~722.3.2.5. *Default.* Where approved performance security has been provided, and the required improvements have not been installed according to the terms of the performance security instrument, the County may, upon thirty (30) days written notice to the parties to the instrument, declare the performance security to be in default and exercise the County's rights thereunder. Upon default, no further County permits or approval shall be granted for the project until adequate progress toward completion of the remaining required improvements is shown as determined by the Board. The Board shall receive payment in full if the improvements are not completed or an extension has not been granted prior to the expiration of the performance security.~~

~~722.3.2.5.1. *Default in Subdivisions with Private Improvements.* Where approved performance security has been provided, and the required improvements have not been installed according to the terms of the performance security instrument, the County may, upon thirty (30) days written notice to the parties to the instrument, declare the performance security to be in default and exercise the County's rights thereunder. Upon default, no further County permits or approval shall be granted for the project until adequate progress toward completion of the remaining required improvements is shown as determined by the Board. The County shall have the right, based upon easements granted with the plat approval, to enter private property, complete the work to the standards approved on the construction drawings, and receive payment in full for the work completed.~~

~~722.3.3. Construction and Inspections. Upon approval of all Construction Drawings and the approval of any required performance security and written notification to the Planning Department, the developer may commence installation of the required improvements in accordance with such approved drawings, or approved written modifications thereto. Such installation shall be subject at all times to inspection by Federal, State and County agencies, and the developer shall employ an engineer, which need not be full time, for complete inspections and approval during such construction activities as necessary to assure compliance with the approved plans. All field and construction changes shall require approval of the Planning Department and shall be filed in such written form and detail as specified by the Planning Department; and incorporated into the record drawing as applicable.~~

~~The developer shall execute any and all documents, in a form approved by the Board for the purpose of transferring to the County without cost, valid unencumbered title to all fees in the ways, sanitary sewers, water mains, and appurtenances thereto, constructed and installed in the subdivision or approved portion thereof, and conveying to the County without cost and free of all liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain such sanitary sewers and water mains, with any manholes, conduits, other appurtenances, and storm drainage lines, and to do all acts incidental thereto, in, through, and under the whole of all streets in the subdivision or approved portion thereof, and if any such sewers, water mains or storm drains have been constructed and installed in utility easements.~~

~~Stormwater retention and detention facilities within the One Hundred (100) Year Floodplain adjacent to a tidally influenced water body shall not be subject to this performance standard. All fill and earthmoving shall comply with all provisions of this Code and Section 732, Earthmoving.~~

~~722.3.3.1. Inspection and Control.~~

~~722.3.3.1.1. Posting of Permit. Work requiring a development order, one set of approved plans, or permit shall not commence until the permit holder posts the development order one set of approved plans and permit card in a conspicuous place on the property. The permit placard for all inspection services will be issued by the Planning Department. The development order and permit card shall be protected from the weather and located in such position as to permit the Planning Department to conveniently make the required entries thereon. The development order and permit card shall be maintained in such position by the permit holder until the Certificate of Completion or final approval is issued in writing by the Planning Department.~~

~~722.3.3.1.2. *Survey Layout.* The developer shall establish lines and levels, to locate and layout, by instrumentation and similar appropriate means, all construction work required to be done under the development order. The physical laying out of the construction work shall be a prerequisite for any field inspection by the Public Works Department.~~

~~722.3.3.1.3. Inspections by County agencies and all other agencies having jurisdiction shall be permitted at all times during the installation of all improvements.~~

~~722.3.3.1.4. At each of the phases hereinafter indicated, inspections shall be requested by the applicant at least two (2) working days in advance by notice to the Planning Department.~~

~~Clearing, grubbing, filling, grading, and erosion control. (Spot inspection required at beginning and at completion. See also inspection required by Section 717.3.17.)~~

~~The installation of underground utilities and services including the storm drainage system. (Spot inspections required before the backfilling of trenches or other covering of structures.)~~

~~The storm water management system. (Spot inspection required at completion.)~~

~~All rights-of-way (inspections required at completion of the subgrade, subbase, base course, and curbing prior to the placement of the surface course).~~

~~All rights-of-way and easements (spot inspections required during completion of surface course, sidewalks, finish grading, stripping, traffic control and street signs, sodding, seeding and final cleanup).~~

~~Final inspection of all components required by Section 722.~~

~~722.3.3.1.5. Unless the approval of the work completed, including approval of type of materials specified on the approved plans, to each phase has been given by the Planning Department, no further work shall be done on that particular aspect of construction until such work is subsequently completed to the satisfaction of the Planning Department.~~

~~722.3.3.1.6. The applicant shall provide safe and convenient access to all parts of the work for inspections.~~

~~722.3.3.1.7. *Notice to Stop Work.* Upon notice by the Public Works Department that work at any stage is being done contrary to the provisions of this Code, the Public Works Development Standards, or in a dangerous or unsafe manner, the work shall immediately cease. Such notice shall be given in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work,~~

~~and shall state the conditions under which work may be resumed. Where an emergency exists, the Public Works Department shall not be required to give a written notice prior to stopping the work.~~

~~722.3.3.1.8. *Material Testing.* The Planning Department may require tests and test reports for any and all materials incorporated into the work, as proof of compliance. Required tests are to be made at the expense of the owner, by an approved testing laboratory or other approved agency.~~

~~722.3.3.1.9. *Correction or Removal of Defective Work.* If required by the Planning Department, the developer shall promptly, as directed, either correct all defective work, whether or not fabricated, installed or completed, or if the work has been rejected by the Planning Department, remove it from the site and replace it with non defective work. The developer shall bear all costs associated with the removal and replacement.~~

~~722.3.3.1.10. *Damage to Public Property.* It shall be the responsibility of the developer to restore and/or replace all public property damaged or destroyed which was caused by work of the developer. A pre-inspection of the contiguous and adjacent public property will be conducted by the Planning Department prior to the developer commencing any work of the development order. An inspection will be conducted by the Planning Department, as a prerequisite to the final approval, which inspection shall review and observe the same contiguous and adjacent public property for possible damage thereto.~~

~~722.3.4. *Completion and Acceptance of Improvements.*~~

~~722.3.4.1. *Record Drawings.* Upon the completion of any required improvements, the developer shall submit to the Planning Department high quality reproducible mylar "record" drawings prepared and certified by the engineer of record and a registered land surveyor in accordance with Chapter 21-HH6, Florida Administrative Code, showing the actual installation of all such improvements, as may be required by this Code. An informational copy of such drawings, which need not be reproducible mylar, shall also be submitted to the Planning Director. Record drawings shall be in accordance with Manatee County Planning record drawing requirements, latest revisions, and Section 722.3.4.3.1—Certificate of Completion.~~

~~722.3.4.2. *Defect Security.* Prior to the issuance of a Certificate of Completion, the developer shall post security, in an amount equal to ten (10) percent of the actual installation costs of all required improvements, for the purpose of correcting any construction, design, or material defects or failures within public rights-of-way or~~

~~easements in the development or required off site improvements. The form, and manner of execution of such security shall be subject to the approval of the Attorney for the County. The effective period for such security shall be thirty-six (36) months following the issuance of a Certificate of Completion and County acceptance of the installed improvements. Substitution of principal, sureties, or other parties shall be subject to the approval of the Board of County Commissioners, upon recommendation by the Attorney for the County. Upon default, the Board of County Commissioners may exercise its rights under the Defect Security instrument, upon ten (10) days written notice by certified mail, return receipt requested, to the parties to the instrument.~~

~~722.3.4.3. Acceptance Requirements.~~

~~722.3.4.3.1. Record Drawing Submission. The engineer and professional land surveyor of record shall prepare and submit record drawings and certify that the required site improvements have been installed and completed in accordance with the original development approval and any authorized written modifications thereto. Record drawings shall be submitted to the Planning Department for approval. These drawings shall be signed and sealed by the engineer of record attesting to compliance with the development approval and by a registered land surveyor attesting to accuracy on location and elevations.~~

~~722.3.4.3.2. Certificate of Completion. The Planning Department shall issue a Certificate of Completion for all required improvements only upon compliance by the developer with all of the following requirements:~~

~~722.3.4.3.2.1. Completion of satisfactory final inspections.~~

~~722.3.4.3.2.2. Submission and approval of a certification by the engineer and registered land surveyor of record, on forms prescribed by the County.~~

~~722.3.4.3.2.3. Posting and approval of the required defect security, in accordance with subsection 722.3.4.2 above, Defect Security.~~

~~722.3.4.3.3. Acceptance of Required Improvements. Upon the issuance of any Certificate of Completion for any required improvements, the County shall thereby accept responsibility for the maintenance of such improvements, provided such improvements are on land which the County owns, or for which it has accepted an offer of dedication. Unless and until the County acquires such interests; maintenance of such improvements shall remain the sole responsibility of the developer.~~

## **Part 2. – New Section 910**

### **Section 910. Installation of Required Improvements.**

910.1. Certification, Approval of Plans. The engineer of record shall certify the design and inspection of the installation of all required improvements such as streets, drainage structures, bridges, bulkheads, and water and wastewater facilities. All construction drawings for improvements shall be prepared by such engineer in a form acceptable to the County Engineer and, prior to construction, must be approved by the County Engineer.

910.2. Construction. Upon approval of all construction drawings, and the approval of any required performance security and written notification to the County Engineer, the developer may commence installation of the required improvements in accordance with such approved drawings, or approved written modifications thereto, and the performance standards set forth in Section 722. Such installation shall be subject at all times to inspection by Federal, State and County agencies, and the developer shall employ an engineer, which need not be full time, for complete inspections and approval during such construction activities as necessary to assure compliance with the approved plans. All field and construction changes shall require approval of the County Engineer and shall be filed in such written form and detail as specified by the County Engineer; and incorporated into the record drawing as applicable.

910.2.1. Posting of Permit. Work requiring a development order, approved plans or permit shall not commence until the permit holder posts the development order, one set of approved plans and permit card in a conspicuous place on the property. The permit placard for all inspection services will be issued by the County Engineer. The development order and permit card shall be protected from the weather and located in such position as to permit the County Engineer to conveniently make the required entries thereon. The development order and permit card shall be maintained in such position by the permit holder until the Certificate of Completion or final approval is issued in writing by the County Engineer.

910.2.2. Survey Layout. The developer shall establish lines and levels, to locate and layout, by instrumentation and similar appropriate means, all construction work required to be done under the development order. The physical laying out of the construction work shall be a prerequisite for any field inspection by the County Engineer.

910.2.3. Access for Inspections. Inspections by County agencies and all other agencies having jurisdiction shall be permitted at all times during the installation of all improvements. The applicant shall provide safe and convenient access to all parts of the work for inspections.

910.2.4. Inspections During Construction. At each of the phases hereinafter indicated, inspections shall be requested by the applicant at least two (2) working

days in advance by notice to the County Engineer.

910.2.4.1. Clearing, grubbing, filling, grading, and erosion control. (Spot inspection required at beginning and at completion. See also inspection required by Section 717.3.17.)

910.2.4.2. The installation of underground utilities and services including the storm drainage system. (Spot inspections required before the backfilling of trenches or other covering of structures.)

910.2.4.3. The storm water management system. (Spot inspection required at completion.)

910.2.4.4. All rights-of-way (inspections required at completion of the subgrade, subbase, base course, and curbing prior to the placement of the surface course).

910.2.4.5. All rights-of-way and easements (spot inspections required during completion of surface course, sidewalks, finish grading, stripping, traffic control and street signs, sodding, seeding and final cleanup).

910.2.4.6. Final inspection of all components required by Section 910.3.

910.2.5. *Material Testing.* The County Engineer may require tests and test reports for any and all materials incorporated into the work, as proof of compliance. Required tests are to be made at the expense of the owner, by an approved testing laboratory or other approved agency.

910.2.6. *Correction or Removal of Defective Work.* If required by the County Engineer, the developer shall promptly, as directed, either correct all defective work, whether or not fabricated, installed or completed, or if the work has been rejected by the County Engineer, remove it from the site and replace it with non-defective work. The developer shall bear all costs associated with the removal and replacement.

910.2.7. *Construction Subject to Continued Compliance.* Unless the approval of the work completed, including approval of type of materials specified on the approved plans, to each phase has been given by the County Engineer, no further work shall be done on that particular aspect of construction until such work is subsequently completed to the satisfaction of the County Engineer.

910.2.8. *Notice to Stop Work.* Upon notice by the Public Works Department that work at any stage is being done contrary to the provisions of this Code, the Public Works Development Standards, or in a dangerous or unsafe manner, the work shall immediately cease. Such notice shall be given in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, the Public Works Department shall not be required to give

a written notice prior to stopping the work.

910.2.9. *Damage to Public Property.* It shall be the responsibility of the developer to restore and/or replace all public property damaged or destroyed which was caused by work of the developer. A pre-inspection of the contiguous and adjacent public property will be conducted by the County Engineer prior to the developer commencing any work of the development order. An inspection will be conducted by the County Engineer, as a prerequisite to the final approval, which inspection shall review and observe the same contiguous and adjacent public property for possible damage thereto.

910.3. *Final Inspection of Improvements.* After all required improvements have been installed, the engineer of record shall submit certified record drawings, in a form acceptable to the County Engineer, to the County that the improvements have been constructed substantially according to approved plans and specifications. The County Engineer shall periodically inspect all construction subject to this Section. Noncompliance with approved plans or specifications or evidence of faulty materials or workmanship shall be immediately called to the attention of the developer or the engineer and, if not corrected in an expeditious manner, all work on the project will be suspended.

910.4. *Performance Security.* When platting is proposed prior to completion of construction, the developer shall:

910.4.1. *Agreement.* Record an agreement acceptable to the Board of County Commissioners which commits the developer and/or financial institution to comply with this Section 910; and

910.4.2. *Security.* Submit a performance security that satisfies the requirements of Section 910.10. Such performance security shall be in the penal sum of one hundred and thirty percent (130%) of the estimated cost of the required improvements. The performance security shall cover the cost of all improvements and may be adjusted by the County Engineer to reflect the completion or partial completion of such improvements.

In the event that the County Engineer determines that the developer has failed to complete required improvements, or has failed to provide the County with a substitute performance security in advance of expiration of a performance security, the County Engineer shall exercise the County's rights under the developer's agreement and performance security to assure the completion of such required improvements.

910.5. *Defect Security.* Before issuance of a certificate of completion, the developer shall submit to the County Engineer a defect security that satisfies the requirements of Section 910.10. Such defect security shall be in the penal sum of ten (10) percent of the actual construction cost of all the required improvements. The defect security shall have an expiration date of three (3) years from the date of issuance of the certificate of completion. The financial institution shall be responsible for notifying the County

Engineer in writing of the expiration date no less than thirty (30) days before the expiration date.

910.5.1. *Guarantee of Workmanship.* The purpose of the defect security is to guarantee the materials, workmanship, structural integrity, functioning, and maintenance of the required improvements during the three-year period following issuance of the certificate of completion.

910.5.2. *Determination of Defect.* If the County Engineer determines after issuance of the certificate of completion that the materials, workmanship, structural integrity, functioning, or maintenance of any of the required improvements is unacceptable, or if he determines that the developer has failed to provide the County with a substitute defect security in advance of expiration of a defect security, he shall so notify the developer by registered mail of the unacceptable condition, and, subject to subsection 910.5.3 below, he shall afford the developer a reasonable period of time in which to correct the unacceptable condition. If the County Engineer thereafter determines that the unacceptable condition has not been corrected, the County may present to the financial institution a demand for payment on the defect security.

910.5.3. *Expiration.* The reasonable period of time referenced in subsection 910.5.2 above may be shortened or waived at the discretion of the County Engineer (a) if the defect security will expire before the end of a reasonable period of time, unless the defect security is renewed for an additional ninety (90) days before the expiration date, or (b) if the unacceptable condition poses a risk or danger to the health, safety, and welfare of the people of the County.

910.6. *Certificate of Completion; Approval for Maintenance; Acceptance.*

910.6.1. *Maintenance Prior to Acceptance.* The developer shall be responsible for the maintenance and operation associated with the public improvements facilities until approval for maintenance is issued.

910.6.2. *Certificate of Completion.* After successful completion of all improvements, and after receipt of the required documents, the County Engineer will provide a certificate of completion verifying the satisfactory construction of all required improvements. The required documents shall include the following:

910.6.2.1. Completion of satisfactory final inspections.

910.6.2.2. Submission and approval of a certification by the engineer and registered land surveyor of record, on forms prescribed by the County.

910.6.2.3. Posting and approval of the required defect security, in accordance with Section 910.5.

910.6.3. *Acceptance of Public Required Improvements.* Upon the issuance of any Certificate of Completion by the County Engineer for any public required

improvements, the County shall thereby accept responsibility for the maintenance of such improvements, provided such improvements are on land which the County owns, or for which it has accepted an offer of dedication. Maintenance of improvements to be owned by a community development district or other government or private entity shall remain the responsibility of such district or entity.

910.7. Monuments.

910.7.1. Permanent reference monuments. Permanent reference monuments shall be placed as required by Ch. 177, F.S., as amended. Monuments shall be set in the ground so that the top is flush or no more than one (1) foot below the finished grade.

910.7.2. Permanent control points. Permanent control points shall be placed as required by Ch. 177, F.S., as amended. Points shall not be more than one (1) foot below finished grade.

910.8. Certified record drawings. Certified record drawings shall contain the following:

- i. Original approved design;
- ii. All field modifications;
- iii. Field verified elevations and locations as required under the engineer's certification of completion. Field elevations and locations shall be shown on the record drawings and denoted as such; and
- iv. Engineer's certification in accordance with Section 910.9.

910.9. Engineer's certification of completion. The engineer of record shall provide the following certification on certified record drawings:

In the professional opinion of \_\_\_\_\_, P.E., as a registered engineer in the State of Florida, I certify that the improvements for grading, paving, drainage facilities, water distribution system and wastewater collection system for the project (description of platted lands) have been completed substantially in compliance with the engineering plans approved by Manatee County and in compliance with the Manatee County Code and the Manual of Standards and Specifications for Wastewater and Water Main Construction. This determination is based on construction site observations and review of test reports by me or a representative under my direction. Enclosed are record drawings which I have reviewed prior to this certification. A separate certification for the underdrain construction will be made by the geotechnical engineer.

910.10. Requirements for Performance and Defect Securities. Each performance security posted in accordance with Section 910.04, and each defect security posted in accordance with Section 910.05, shall be an irrevocable letter of credit or surety bond,

in a form acceptable to, and issued by a financial institution acceptable to, the County Administrator. Such financial institution shall have an office for presentation and draw in Manatee, Hillsborough, Polk, Pinellas, DeSoto or Sarasota counties.

910.10.1. *Replacement Security.* If, at any time after posting of a performance or defect security, a material change occurs in the condition of the financial institution, or if the financial institution fails to honor the posted security, and the developer fails to provide a replacement security in satisfaction of this Section 910, (a) the developer may be deemed in violation of this Code, and may be subject to a stop work order or any other remedy available hereunder, and (b) the County Engineer may draw upon the security.

910.10.2. *Cash Security.* The Public Works Department Director may, at his or her discretion, accept cash in lieu of a performance security or defect security, to be held by the County in its depository accounts, if and only if (a) the amount to be secured by such cash deposit does not exceed twenty five thousand dollars (\$25,000), and (b) the total amount of improvements secured through cash deposits by the developer and its affiliates for all projects in the County does not exceed fifty thousand dollars (\$50,000).

910.11. *Designation of County Engineer.* The County Administrator shall designate an employee in the Public Works Department to serve as the County Engineer and carry out the functions set forth in this Section. The County Engineer may designate subordinate employees to carry out such functions under his authority and supervision.

### **Part 3. Wetland Security Increase**

#### **Section 719 – Wetland Protection**

719.10 Mitigation Security. For mitigation accepted by the County, pursuant to Section 719.8 ~~719.10 Mitigation Security.~~ A as a condition for approving wetland(s) alteration and accepting a Wetlands Mitigation Plan, the Board of County Commissioners shall require the posting of a security, bond, escrow or other means of guarantee to:

- a) Ensure that the applicant has carried out the approved mitigation project in accordance with the Wetlands Mitigation Plan, and that the project has met the success criteria specified in Section 719.9;
- b) Ensure that the applicant will correct any deleterious effects on wetlands or adjacent areas that may result from his/her non-compliance with the conditions of the approved Wetlands Mitigation Plan; and

- c) Enable the County to take steps to restore the site in the event that the developer/applicant/landowner defaults on the conditions of the Wetlands Mitigation Plan.

Such mitigation security shall comply with Section 910.10 and shall comply with any additional requirements imposed pursuant to the Administrative Procedures ~~be in a form and manner acceptable to the County.~~ The amount of Security shall be equal to one hundred ~~fifteen~~ thirty (11~~5~~ 30) percent of the estimated or actual costs and expenses of wetland mitigation construction, planting, maintenance and monitoring the County may incur in making good on non-compliance or non-performance of any requirements of the Wetland Mitigation Plan. ~~The amount of security may be modified by the Environmental Management Department (EMD) Director based upon the history of the applicant and the purpose of the security, but in no event shall the duration of the security be less than two (2) years for herbaceous wetland mitigation or five (5) years for forested wetland mitigation from the time that construction of the required wetland mitigation is deemed complete. Construction of wetland mitigation shall be considered complete upon certification by the engineer of record and upon an on-site review and approval by EMD staff.~~ Mitigation security shall be extended to cover the required monitoring period, after wetland mitigation has been deemed complete by the EMD County.

**ATTACHMENTS:**

1. Ordinance 14-02 fka 13-40
2. Copy of newspaper advertising

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, adopted with modifications, or denied.

Date: Thursday, November 14, 2013  
Time: 9:00 AM or soon thereafter  
Place: Manatee County Government Administrative Center  
1112 Manatee Avenue West,  
1st Floor Chambers

**LDCT-13-03/ORDINANCE 14-01 FKA ORD. 13-31 – LAND DEVELOPMENT  
CODE TEXT AMENDMENT FOR PARK TRAILERS**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING SECTION 201 OF THE LAND DEVELOPMENT CODE TO PROVIDE NEW OR REVISED DEFINITIONS AND TO DELETE CERTAIN OBSOLETE DEFINITIONS; AMENDING SECTIONS 603.8 (POMH – PLANNED DEVELOPMENT MANUFACTURED HOME) AND 603.9 (PDRV – PLANNED DEVELOPMENT RECREATIONAL VEHICLE) OF THE LAND DEVELOPMENT CODE FOR CONSISTENCY WITH FLORIDA STATUTES; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

**LDCT-13-04/ORDINANCE 14-02 – fka Ordinance 13-40 – LAND DEVELOPMENT  
CODE TEXT AMENDMENT FOR BONDS**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING AND RESTATING SECTION 719.10; AMENDING CHAPTER 9 TO ESTABLISH SECTION 910 GOVERNING THE INSTALLATION OF SUBDIVISION IMPROVEMENTS; RENAMING SECTION 722; AND REPEALING SECTION 722.3 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; 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 also 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, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 EXT. 6878; e-mail to: [planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

Rules of procedure for this public hearing are in effect pursuant to Resolution 05-239(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 4th 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

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Sarasota Herald Tribune

**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, adopted with modifications, or denied.

Date: Thursday, November 14, 2013  
Time: 9:00 AM or soon thereafter  
Place: Manatee County Government Administrative Center  
1112 Manatee Avenue West,  
1st Floor Chambers

**LDCT-13-03/ORDINANCE 14-01 FKA ORD. 13-31 – LAND DEVELOPMENT CODE TEXT AMENDMENT FOR PARK TRAILERS**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING SECTION 201 OF THE LAND DEVELOPMENT CODE TO PROVIDE NEW OR REVISED DEFINITIONS AND TO DELETE CERTAIN OBSOLETE DEFINITIONS; AMENDING SECTIONS 603.8 (PDMH – PLANNED DEVELOPMENT MANUFACTURED HOME) AND 603.9 (PDRV – PLANNED DEVELOPMENT RECREATIONAL VEHICLE) OF THE LAND DEVELOPMENT CODE FOR CONSISTENCY WITH FLORIDA STATUTES; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

**LDCT-13-04/ORDINANCE 14-02 – fka Ordinance 13-40 – LAND DEVELOPMENT CODE TEXT AMENDMENT FOR BONDS**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING AND RESTATING SECTION 719.10; AMENDING CHAPTER 9 TO ESTABLISH SECTION 910 GOVERNING THE INSTALLATION OF SUBDIVISION IMPROVEMENTS; RENAMNG SECTION 722; AND REPEALING SECTION 722.3 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; 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 also 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, 4<sup>th</sup> Floor, Bradenton, Florida; telephone number (941) 748-4501 EXT. 6878; e-mail to: [planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

Rules of procedure for this public hearing are in effect pursuant to Resolution 05-239(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 4<sup>th</sup> 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.

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