

Planning Commission: 8/13/2020

Z-20-02 – Norah & Aaron, LLC (PLN2002-0010)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 36.3 acres generally located at 1300 49th. Street East, Palmetto, (Manatee County) and commonly known as Symphony Lakes from Residential Single Family Mobile Home Districts - 6 units per acre (RSMH-6) to the Residential-Multi-Family Districts - 9 dwelling units per acre (RMF-9); setting forth findings; providing a legal description; providing for severability and providing an effective date.

Planning Commission: 8/13/2020

Board of County Commissioners: 9/3/2020

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, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. Z-20-02, as recommended by staff.

PROJECT SUMMARY	
CASE NUMBER	Z-20-02/PLN2002-0010
PROJECT NAME	Norah & Aaron LLC Rezone (Symphony Lakes)
APPLICANT(S) / AGENT	Hal Perdew & Brett Decklever (applicants) John Foley - Foley/Kolarik, Inc. (agent)
EXISTING ZONING	RSMH-6
PROPOSED ZONING	RMF-9
CASE MANAGER	Jim Rigo
STAFF RECOMMENDATION	Approval
DETAILED DISCUSSION	
<p><u>History</u></p> <p>The site is located on the north side of Experimental Farm Road and west of Canal Road in Section 36, Township 33 South, Range 17 East. The primary address is listed as 1300 49th Street East - Palmetto, FL 34221.</p> <p>The property was rezoned in 1985 (Z-85-03) from A-1 to R-4B (Mobile Home Residential/7 DU/ac.). It was converted to RSMH-6 with the adoption of the 1990 Land Development Code.</p> <p>A Preliminary Site Plan (PSP-94-41) was submitted for Sunnybrook Park MHP in December 1994 showing 185 lots. That development entered the construction plan process but was not completed.</p> <p>A Final Site Plan/Construction Plans for Symphony Lakes was submitted in March 1996 (FSP-96-25/FSP-96-25(R)) and another Final Site Plan/Construction Plans (FSP-00-92) for 168 lots (4.6+/- Units/ac.) was as applied for in October 2000 by Potomac Ventures, but was never approved or constructed.</p> <p><u>Request</u></p> <p>The current request is for a rezone from Residential Single-Family Mobile Home District - 6 Dwelling Units per Acre (RSMH-6) to Residential Multi-Family District - 9 Dwelling Units per Acre (RMF-9).</p> <p>The site has a Future Land Use Category of RES-9, which is consistent with the proposed zoning classification. RES-9 was established to provide primarily medium density residential and high density clustered residential development, with support uses such as neighborhood commercial, office, public/semi-public, recreation and school uses.</p> <p>Properties to the south and east are currently zoned RSF-4.5 and A-1 and are developed residential areas. Property to the west is a mix of uses ranging from currently undeveloped suburban agriculture, mobile homes, to heavy/neighborhood commercial, light industrial/manufacturing (RSMH-6, A-1, HC, LM, NC-S, PD-I zoning.). The northwest side is adjacent to US 41, the railroad, and a church is located to the northeast.</p> <p>This logical expansion in zoning is consistent with development patterns in the area, will have no impact on historic resources, and is not planned to have any environmental impacts.</p> <p>Staff recommends approval.</p>	

SITE CHARACTERISTICS AND SURROUNDING AREA	
ADDRESS	1300 49th Street East - Palmetto, FL 34221
GENERAL LOCATION	North side of Experimental Farm Road (49 th St E) and west of Canal Road. East and south of US 41.
ACREAGE	Approximately 36.3 acres
EXISTING USE(S)	Vacant
FUTURE LAND USE CATEGORY(S)	RES-9/Coastal Planning Area
OVERLAY DISTRICT(S)	N/A
SURROUNDING USES AND ZONING	
NORTH	Vacant; Residential; Church
SOUTH	Residential; Utility (FPL)
EAST	Residential
WEST	Vacant; Manufacturing; Commercial
SITE DESIGN DETAILS	
MINIMUM SETBACKS FOR RMF-9 ZONING DISTRICT	<p>Front: Single-Family Detached: 25' Single-Family Semi-Detached: NA Duplex: 25' Single-Family Attached: 25' Multi-Family: 25' Other Allowed Uses: 25'</p> <p>Side: Single-Family Detached: 10' Single-Family Semi-Detached: 10/15' Duplex: 10' Single-Family Attached: 10' Multi-Family: 10' Other Allowed Uses: 10'</p> <p>Rear: Single-Family Detached: 20' Single-Family Semi-Detached: N/A Duplex: 20' Single-Family Attached: 20' Multi-Family: 25'</p>

	<p>Other Allowed Uses: 25' Waterfront: 30'</p>
MINIMUM LOT SIZE FOR RMF-9 ZONING DISTRICT	<p>Area: Single-Family Detached: 6,000 sq. ft. Single-Family Semi-Detached: 4,000 sq. ft. Duplex: 7,000 sq. ft. Single-Family Attached (interior lot/corner lot): 2,400/3,400 sq. ft. Multi-Family: 10,000 sq. ft. Non-Residential Uses: 10,000 sq. ft.</p> <p>Width: # Single-Family Detached: 50' Single-Family Semi-Detached: 40' Duplex: 35' Single-Family Attached (interior lot/corner lot): 24'/34' Multi-Family: 100' Non-Residential Uses: 100'</p> <p># The minimum lot width for corner lots shall be not less than fifteen (15) percent wider on both front yards than required in the district, except where both front yards equal or exceed one hundred fifty (150) feet each in width.</p>
HEIGHT	<p>4-story maximum. An additional setback of 20' for each floor above 3 stories is required. (LDC 401.5 Building Height Compatibility standards). Min. 10' perimeter buffer required (LDC 701.4.B.5)</p>
REQUIRED OPEN SPACE	<p>20%</p>
ACCESS	<p>Experimental Farm Rd. and Canal Rd. Both urban collector roadways. (no plan)</p>
MINIMUM REQUIRED PARKING	<p>Multi-family: 2.1 sp./unit. All residential other than MF: 2 sp./unit</p>
FLOOD ZONE(S)	<p>The rezone parcel (PI # 2266900055) is outside of the 100-year floodplain (Zone "X") per FIRM Panels 12081C0158E, 12081C0166E, effective 3/17/2014. However, the rezone parcel is partially located within the County 25-year floodplain. Staff recommends the applicant calculate the 100-year flood stages and subsequently delineate 100-year floodplain delineation.</p>
AREA OF KNOWN FLOODING	<p>N/A</p>
UTILITIES	<p>The following water and wastewater facilities are in the vicinity of this development project:</p> <p>Water: 8" potable water main along 49th Street East (Experimental Farm Rd), 16" potable water main along US 41 N above the northwest corner of the property and 16" potable water main along 16th Ave E (Canal Rd).</p> <p>Sewer: Not available</p> <p>Reclaimed: Not available</p> <p>NOTES: 1. Connection to the County water and wastewater system is required pursuant to the Manatee County Comprehensive Plan.</p>

	The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. Such off-site extension shall be designed and constructed in accordance with the applicable County Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the construction plans review process for the project.
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ENVIRONMENTAL INFORMATION (need to determine if any Environmental Information is required for Standard Zoning Districts)

OVERALL WETLAND ACREAGE	Unknown. See Environmental Review Section (ERS) commentary, below)
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PROPOSED WETLAND IMPACT ACREAGE	No wetland impacts are approved with this rezone. Any potential wetland impacts are to be assessed at further stages of the development review process.
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Environmental Review Section

This proposal is a request to rezone approximately 36 acres from RSMH-6 to RMF-9. Staff has no objection to the proposed rezone. Please note the following:

- A comprehensive environmental review of this parcel cannot be conducted based on the information provided. No plan has been submitted as part of this request.
- It is ERS's understanding that all development proposals are subject to the requirements of the Manatee County Comprehensive Plan and Manatee County Land Development Code. The applicant should be advised that certain environmental constraints may restrict development activities.
- There are potential wetland(s) on site, based on National Wetlands Inventory Map and SWFWMD LULC (FLUCCS 600) which will be subject to LDC Section 706.
- Comp Plan Policy 3.3.1.1 prohibits the removal, alteration, or encroachment within wetlands except in cases where no other practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. Such determination will require completion of impact avoidance and minimization analyses which clearly demonstrate the necessity of the proposed impact. Development in a wetland or wetland buffer may be approved, if and only if, it meets the criteria set forth in LDC Section 706, as determined by the Board, Hearing Officer, or Director.
- Additional comments will be provided upon review of subsequent site plan submittals.

NEARBY DEVELOPMENT

NON-RESIDENTIAL

PROJECT	FLUC	ZONING	ACRES	DWELLING UNITS / SQUARE FEET	DENSITY / INTENSITY
Hwy 41 Storage, LLC	ROR	HC	5.8±	67,378	0.26
Buckeye Gas Products/ Protane Corp.	IL	HC/NC-S	2.5±	3,124	0.03
APS 49 th Street, LLC	IL	PD-I	1.1±	6,250	0.13

Hwy 41 Storage, LLC	ROR	HC	5.8±	67,378	0.26
RESIDENTIAL					
SUBDIVISION	FLUC	ZONING	ACRES	DWELLING UNITS / SQUARE FEET	DENSITY / INTENSITY
North-Country Lakes Village	RES-9; ROR	RSMH-6	50±	224	4.48 Units/ac.
North-Family of God, U.M. Church	ROR	A-1	7.7±	6,800 sq. ft.	N/A
East-Oak Manor Subd.	RES-6	RSF-4.5	17.8±	26	1.46 Units/ac.
East-Canal Road Estates	RES-9	A-1	3±	2	0.67 Units/ac.
East-Unplatted Lots	RES-9	A-1	7.8±	5	0.64 Units/ac.
West-Vacant	RES-9	A-1	13.6±	N/A	Vacant
South-Unplatted Lots	RES-6	RSF-4.5	1.4±	3	2.1 Units/ac.
South-FPL Power Substation	RES-6	RSF-4.5	10.79±	N/A	N/A
Nearest Residential Communities	FLUC	ZONING	ACRES	DWELLING UNITS / SQUARE FEET	DENSITY / INTENSITY
South-670': Villages of Avignon 2007	RES-3	PDR-06-75(Z)(P)	19.4±	94 prop.	4.85 Units/ac.
West-1000': Emmer Rezone 2005	RES-9; ROR	PDR-05-01(Z)(P)	21.1±	150 prop.	7.1 Units/ac.
East-2,000': Oakhurst 2004-11 (replat)	RES-6	RSF-4.5	28.61±	91	3.18 Units/ac.
POSITIVE ASPECTS					
<ul style="list-style-type: none"> ● RMF-9 allows for a larger variety of housing types than RSMH, which is generally restricted to mobile homes. ● RMF-9 allows for attached/multifamily dwellings, which will make the density potential for the parcel more consistent with the future land use designation of RES-9. The higher density housing is a desired transition between the existing residential to the south & east, and the commercial/industrial to the west. ● Removes mobile home zoning from a Coastal Planning Area. ● The potential for much needed workforce housing stock. ● The project density will support the introduction/extension a sanitary sewer. ● Limits potential commercial or industrial expansion eastward. 					
NEGATIVE ASPECTS					
<ul style="list-style-type: none"> ● Adjoining RSF 4.5 single-family residential to the east. ● Introduces multi-family to an area not currently having this residential land use. 					

MITIGATING MEASURES

Required buffering and setbacks is designed to mitigate any possible negative impacts between a potential/future multi-family development at this site and the existing single-family residential homes nearby. Although there is no plan provided with this rezone proposal, any of the allowable land uses available under RMF-9 could be designed to contribute to a denser, more centrally/clustered development, which could provide better buffering to the surrounding properties. Based on an accepted traffic impact summary, it appears the adjacent segments of US 41, Canal Road, and 49th Street E will have sufficient capacity for the proposed project traffic.

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE
LDC SECTION 342.3 – REVIEW CRITERIA FOR ZONING MAP AMENDMENTS**

The following represents an analysis of how the application achieves compliance with LDC Section 342.3. The criteria listed below were used to evaluate each specific request for rezoning to ensure compliance with the Comprehensive Plan and Land Development Code.

LDC SECTION 342.3 – REVIEW CRITERIA FOR ZONING MAP AMENDMENTS

A. Compatibility with the Existing Development Pattern and the Zoning of Nearby Properties.

Analysis: In the opinion of Staff, the rezoning represents an extension of current residential, multi-family, and planned development zoning in north county east of US 41. The proposed zoning is compatible with the comprehensive plan and more consistent with the future land use designation of RES-9. The higher density housing is a desired method of transitioning between existing single-family residential uses to the south & east, and the commercial/industrial uses to the west. Required buffering and setbacks should mitigate any possible negative impacts between a potential/future multi-family development at this site and the existing single-family residential homes nearby.

B. Changes in Land Use or Conditions Upon Which the Original Zoning Designation was Based.

Analysis: The site has a Future Land Use Category of RES-9, which is more consistent with the proposed zoning classification. The property was rezoned in 1985 (Z-85-03) from A-1 to R-4B (Mobile Home Residential/7 DU/ac.). It was converted to RSMH-6 with the adoption of the 1990 Land Development Code. Subsequent site plans have been submitted since the rezone, but nothing has been constructed at this site.

Properties to the south and east are currently zoned RSF-4.5 and are developing residential areas and there is some Planned Development nearby. Property to the north and west are a mix of uses ranging from currently undeveloped suburban agriculture, mobile homes, to heavy/neighborhood commercial, light industrial/manufacturing (RSMH-6, A-1, HC, LM, NC-S, PD-I zoning.). The side is adjacent to US 41, the railroad, and a church is located to the northeast.

This logical expansion in zoning is consistent with development patterns in the area.

C. Consistency with the Current Comprehensive Plan.

Analysis: The proposed zoning of RMF-9 is consistent with the Comprehensive Plan designation of RES-9. The proposed rezone will allow the potential for much needed affordable/workforce housing stock as well as the development to support the introduction/extension a sanitary sewer.

D. Conflicts with Existing or Planned Public Improvements.

Analysis: There are no anticipated conflicts with existing or planned public improvements.

E. Available of Public Facilities.

1. Impact on the Traffic Characteristics – Specifically Trip Generation Potential.

Analysis: The applicant provided a Traffic Impact Statement (TIS) for the rezoning application to gauge the maximum impacts associated with allowable uses. Based on the accepted study, it appears the potentially impacted segments of US 41, Canal Road, and 49th Street E will have sufficient capacity

for the proposed project traffic. However, at this time, the use of the property is unknown. Since the use is not known, we have evaluated on a worst-case scenario as required. At the time of a request for / Final Site Plan / Concurrency, an assessment will be required for a known use and factual data will be considered according to the Manatee County Standards.

2. Impact on Population Density or Development Intensity Demand for Schools, Sewers, Streets, Recreational Areas and Facilities and Other Public Facilities.

Analysis: The zoning change does not have a significant impact on demand on existing public facilities. In fact, the proposed development intends to extend sanitary sewer along Experimental Farm Road as there is no existing sewer at this location. According to Public Works Utility Design there is a 8" potable water main along 49th Street East (Experimental Farm Rd), 16" potable water main along US 41 N above the northwest corner of the property, and a 16" potable water main along 16th Ave E (Canal Rd). Reclaimed water is not available. Potable water, wastewater, solid waste, and school facilities will be reviewed at the time of Final Site Plan/Construction Drawings.

There are three parks within two miles of the site, and existing elementary, middle, and high schools. The School Board Planner has provided a preliminary report, which includes the following analysis:

School capacity is available or will be available within the School Service Area (SSA) or contiguous SSA. This report does not reserve capacity. When the final site plan is submitted to reserve school capacity the final analysis may differ from this preliminary analysis.

2020-21 School Attendance Zones: Tillman Elementary, Palm View K-8 and Palmetto High School.

3. Impact on Public Facilities Planned and Funded to Support Any Change in Density or Intensity.

Analysis: The subject property is in an area with existing development and public facilities (schools, utilities, and transportation). Solid waste and preliminary drainage will be reviewed the time of Final Site Plan/Construction Drawings. The report from the School Board planner is attached. It does not object to the rezone but will require further analysis with the Final Site Plan.

F. Health, Safety or Welfare of the Neighborhood and County.

Analysis: The requested rezone is not anticipated to have a negative effect on the health, safety, or welfare of the neighborhood or county.

G. Conformance with All Applicable Requirements of this Code.

Analysis: The rezoning is in conformance with the requirements of the land development code. The RMF-9 district is an implementing zone district of the RES-9 Future Land Use Designation.

H. Consistency with the Development Patterns in the Area.

Analysis: The RMF-9 zoning is consistent with the development patterns in the area. The adjacent development is a mixture of commercial/light industrial to the west and residential to the south and east. Therefore, either a single-family (attached or detached), duplex, or a multifamily residential development is consistent with the existing development patterns.

I. Logical Expansion of Adjacent Zoning Districts.

Analysis: The rezone will expand the adjacent residential district that borders the property on the east and the south rather than a potential rezone to commercial or industrial.

J. Impact on Historic Resources.

Analysis: There are no known historic resources on the property.

K. Environmental Impacts.

Analysis: Environmental impacts will be assessed at future development application submittals.

L. Types of Allowable Uses and Impact of those on Surrounding Residential Areas.

Analysis: While RMF zoning allows for more residential types of uses than the current mobile home zoning, it remains highly restrictive on allowing anything other than residential, residential support, and limited office (3,000 s.f. max.) use. Non-residential uses have specific use criteria outlined in Section 531, which helps address any potential compatibility concerns with residential areas.

M. Relocation of Mobile Homeowners.

Analysis: N/A. Vacant site.

N. Consistency with the Planned Development District Standards.

Analysis: N/A. Not a PD district.

O. Any Other Matters Which May Be Appropriate.

Analysis: There are no other known matters to be considered.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the RES-9 (Residential 9 Dwelling Units to the Acre) Future Land Use Category. This project was specifically reviewed for compliance with the following objectives and policies:

Policy 2.1.1.4. Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment.

Analysis: The proposed rezone will allow for a broader range of allowable residential and small office uses on a vacant (infill) parcel adjacent to two urban collector roadways. This is an area that is surrounded by low to medium density residential homesites as well as commercial, light industrial and residential uses. Public facilities are in place in the way of potable water. This project references the extension of sanitary sewer to the subject site.

Policy 2.1.1.6 Encourage growth and redevelopment to concentrate within the Urban Service Area.

Analysis: The proposed rezone is not redevelopment and not within the Urban Service Area.

Policy 2.1.2.2 Limit urban sprawl by prohibiting all future development in the area east of the established Future Development Area Boundary (FDAB).

Analysis: This rezone request is west of the FDAB

Policy 2.1.2.4. Limit urban sprawl through consideration of new and redevelopment when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.

Analysis: Any development on this site would be contiguous and internal to the existing built environment. The site is vacant and could be consider as infill. Further, site development has been previously approved for mobile home use. This proposed rezone simply changes the type of residential development.

Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development.

Analysis: The proposed rezone to RMF-9 fits the existing development pattern, which are represented by a mixture of residential types (mobile homes and single-family residences) and commercial/industrial uses to the west. The overlying FLUC of RES-9 creates the appropriate transition of residential use between the existing RES-6, ROR and IL districts. Future development reviews, at the site plan review stages, will determine if protection of natural features is needed; aerial information depicts some obvious environmental limitation on the site which will also limit the density potential. The parcel is adjacent to two urban collector roadways and will likely take access from 49th St East. (E.F. Rd.). Water service is available. This applicant states that the project will extend sanitary sewer to the area. The rezoning should limit urban sprawl because it is an infill parcel. There are no site-specific plans attached to the rezoning request; site design will be reviewed at later development stages.

Objective 2.1.4. Economic Activity Areas – encourage development of mixed-use areas to strengthen and diversity the economy of Manatee County.

Analysis: Policy 2.1.4.2.is designed to implement the following: Enforce the LDC provisions to mitigate the impact of light industrial uses on neighboring residential uses through the utilization of appropriate measures such as transition/landscape buffering, building design, setbacks, noise barriers, exterior lighting controls, operating hour limits, vibration limits, truck access/routing limits, binding agreements to benefit and protect the community, and other practices as necessary to protect and enhance neighborhoods and community character. This site and the potential residential development here should limit the expansion of further commercial or industrial development eastward.

Objective 2.2.2 – Future Land Use Overlay Districts – List any objectives / policies are applicable, insert here and provide analysis.

Analysis: This parcel is located just within the eastern edge of the in the Coastal Planning Area (CPA) and the eventual development will be subject to Comp Plan Coastal Element/Goal 4.3 with regard to hurricane evacuation (Level C) and will require an evacuation plan to be reviewed and approved by staff. Per Comprehensive Plan Objective 4.4.2., the new development will be subject to the hazard mitigation policies therein, which include additional performance standards (e.g: additional sheltering capacity, infrastructure construction upgrades, etc.). The property is not within the Coastal High Hazard (CHHA) and/or Velocity (V) zones, so should not be considered limited to the range of uses or densities below those specified by RES-9 (Policy 2.2.1.13). Density bonuses for affordable housing are not allowable in the CEA and could be limited in this area.

Any residential development at this site will be subject of the goals, objectives, and polices of the Comprehensive Plan with regard to environmental habitat protection, water quality, and hurricane preparedness/evacuation. The Final site plan will require a close examination of these policies, which may require the preparation of a hurricane/emergency evacuation plan.

Objective 2.6.1 Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures.

Analysis: There is no site plan associated with this straight rezoning request. However, many of the potential uses for the site have specific use criteria in Section 531 that address compatibility concerns. When site plans are submitted, they will be reviewed for compliance with these code standards.

Policy 2.6.3.1. Consider performance standards or other measurers to distinguish between light and heavy industries.

Analysis: N/A

Policy 2.6.5.5. Ensure urban infill projects are compatible to their setting and design to contribute to the overall enhancement of the existing neighborhood. Compatibility considerations include building massing, vertical character and setbacks with the existing urban neighborhood.

Analysis: There is no site plan associated with this straight rezone request. The site design will be reviewed for compatibility when site plans are submitted. But under the proposed zoning classification buildings are limited to a 4-story height maximum. An additional setback of 20' for each floor above 3 stories is required. The minimum setback for any use proposed in this zoning class is 20' and the minimum perimeter buffer required is 10'.

Policy 2.10.1.2. Promote the development of commercial uses in nodes, and discourage scattered, incremental commercial development.

Analysis: N/A

Policy 2.10.1.3. Encourage development projects that functionally mix residential and commercial (retail/office) uses, either vertically or horizontally.

Analysis: The site is located in an area that is horizontally mixed with a combination of residential, commercial and light industrial uses. Residential Multi-Family Districts allow for some flexibility for the site to develop as multifamily development, small office (3,000 s.f. max.), or residential support use(s). The rezoning represents an extension of current residential, multi-family, and planned development zoning in north county east of US 41. The proposed zoning is compatible with the comprehensive plan and more consistent with the future land use designation of RES-9. The higher density housing is a desired method of transitioning between existing single-family residential uses to the south & east, and the commercial/industrial uses to the west. Required buffering and setbacks is designed to mitigate any possible negative impacts between a potential/future multi-family development at this site and the existing single-family residential homes nearby. Any of the allowable land uses available under RMF-9 could be designed to contribute to a horizontally mixed-use environment.

Policy 2.10.4.1. Limit the location of all new commercial development to well-defined nodes.

Analysis: N/A

Objective 2.14.1 Establish specific policies restricting the location and intensity of certain developments in order to preserve and protect neighborhoods from encroachment by incompatible uses and intensities, ensure adequate provision of infrastructure, and other reasons the Board of County Commissioners may decide to warrant a specific area policy.

Analysis: The rezoning represents an extension of current residential in north county. The proposed zoning is compatible with the comprehensive plan and the proposed use and density housing is a desired method of

transitioning between existing single-family residential uses to the south & east, and the commercial/industrial uses to the west. This rezone should deter the expansion of commercial or industrial development eastward.

Objective 4.3.1. - Development Type, Density and Intensity. Limit development type, density and intensity within the Coastal Planning Area and direct population and development to areas outside of the Coastal High Hazard Area to mitigate the potential negative impacts of natural hazards in this area.

Analysis: This parcel is located on the extreme eastern edge of the in the Coastal Planning Area (CPA) and the eventual development will be subject to Comp Plan Coastal Element/Goal 4.3 with regard to hurricane evacuation (Level C). This requires an evacuation plan to be prepared with any new development at the final site plan stage, which is to be reviewed and approved by staff. Per Comprehensive Plan Objective 4.4.2., the new development will be subject to the hazard mitigation policies therein, which include additional performance standards (e.g: additional sheltering capacity, infrastructure construction upgrades, etc.). The request to increase the density to the allowable maximums under the RES-9 Future Land Use Classification at this location is appropriate. The subject property is not within the Coastal High Hazard (CHHA) and/or Velocity (V) zones, so should not be considered limited to the range of uses or densities below those specified by RES-9 (Policy 2.2.1.13). Density bonuses for affordable housing are not allowable in the CEA and could be limited in this area.

Policy 4.3.1.6. Prohibits the development of new mobile home projects within the Coastal Planning Area,

Analysis: This rezone to RMF-9 will prohibit mobile home development at this site.

TRANSPORTATION

Major Transportation Facilities

The project is located east and south of US 41, west of Canal Road (16th Avenue East), and north of 49th Street East (Experimental Farm Road). The following thoroughfares are adjacent to the project:

- US 41 is an existing four-lane road with 60 mph posted speed. It is designated as a six-lane arterial roadway in the Comprehensive Plan's Future Traffic Circulation Plan and has a planned right of way width of 200 feet, or as determined by FDOT.
- Canal Road is an existing two-lane road with a posted speed of 35 mph. It is designated as a four-lane collector roadway in the Comprehensive Plan's Future Traffic Circulation Plan and has a planned right of way width of 120 feet.
- 49th Street East (Experimental Farm Road) is an existing two-lane road with a posted speed of 30 mph. In the Future Traffic Circulation Plan, it is designated as a two-lane collector roadway with a planned right of way width of 84 feet.

Transportation Concurrency

The Applicant is seeking a rezone only and cannot obtain concurrency until Final Site Plan review stage. At that time, the Applicant will be required to submit a traffic study to determine if any off-site concurrency-related improvements are required to mitigate the development's impacts.

The applicant provided a Traffic Impact Statement (TIS) for the rezoning application to gauge the maximum impacts associated with allowable uses. Based on the accepted study, it appears the potentially impacted segments of US 41, Canal Road, and 49th Street E will have sufficient capacity for the proposed project traffic (see Certificate of Level of Service Compliance table below).

Access

At the time of future site plan submittal and accompanying traffic impact review, all proposed access points will be evaluated to determine if any site-related improvements are required.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE TRANSPORTATION CONCURRENCY			
CLOS APPLIED FOR: No (A CLOS application cannot be issued with a rezone) TRAFFIC STUDY REQUIRED: Yes (A traffic impact summary was prepared; however, a traffic study will be required at PSP/FSP)			
NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
US 41	3360	D	C
Canal Road	2260	D	C
OTHER CONCURRENCY COMPONENTS			
Solid waste and preliminary drainage intent have been reviewed with this Preliminary Site Plan. Potable water, wastewater, and school facilities will be reviewed at the time of Final Site Plan/Construction Drawings.			
ATTACHMENTS			
<ol style="list-style-type: none"> 1. Staff Report Maps/Aerials 2. School District of Manatee County Report 3. Land Development Code Use Table for existing and proposed use. 4. Traffic Impact Statement and Acceptance Letter 5. Zoning Disclosure Affidavit 6. Concurrency Deferral & Acknowledgment form 7. Newspaper Advertising 			