An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to the zoning within the unincorporated area; providing for the rezoning of ±41.13 acres on the north and northeast portions of a ±241.77-acre site (200.64 acres already zoned PDR) generally located on the east side of White Eagle Boulevard (f.k.a. Pope Road) and on the north side of 44th Avenue East, Bradenton (Manatee County) from A (General Agriculture) [37.36 acres], A-1 (Suburban Agriculture) [2.96 acres], and PDMU (Planned Development Mixed Use) [0.81 acres] zoning districts, to the PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for an additional 120 lots for a total of 710 lots for single-family detached and semi-detached residences; repealing ordinances in conflict; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

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 APPROVE Manatee County Zoning Ordinance No. PDR-18-08(Z)(P); APPROVE the Preliminary Site Plan with Stipulations A.1–A.10, B.1–B.3, C.1–C.6, and D.1; GRANT Special Approval for a project: 1) exceeding a gross density of one dwelling unit per acre in the UF-3 and MU-C/R Future Land Use Categories (FLUCs), 2) exceeding a net density of three dwelling units per acre in the UF-3 and MU-C/R FLUCs, 3) adjacent to a perennial stream, and 4) with habitable structures in pre-development 25-year flood plain; ADOPT the Findings for Specific Approval; and GRANT Specific Approval of an alternative to Land Development Code Section 1001.1.C.3 (Allow a proposed emergency access to serve as a second means of access); as recommended by the Applicant.

(Commissioner Baugh)

PLANNING COMMISSION ACTION:
On October 11, 2018, by a vote of 5 – 0, the Planning Commission continued the public hearing to November 8, 2018 at 9:00 a.m., time certain or as soon thereafter as same may be heard at the Manatee County Government Administrative Building 1st Floor Chambers. On November 8, 2018,
by a vote of 4 – 0, the Planning Commission recommended approval. Two seats were vacant. Paul Rutledge was absent.

BOARD OF COUNTY COMMISSIONERS ACTION:
On November 1, 2018, by a vote of 6 – 0, the Board of County Commissioners continued the public hearing to December 6, 2018. Commissioner Baugh was absent.

PUBLIC COMMENT AND CORRESPONDENCE:
October 11, 2018 Planning Commission
There was no public comment.
Nothing was entered into the record.

November 1, 2018 Board of County Commissioners
There was no public comment.
Nothing was entered into the record.

November 8, 2018 Planning Commission
There was no public comment.
Additional Zoning Disclosure Affidavits and a Public Comment letter was entered into the record.
### PROJECT SUMMARY

<table>
<thead>
<tr>
<th>CASE#</th>
<th>PDR-18-08(Z)(P) related to PDR-15-15(Z)(P) (PLN1803-0094)</th>
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<tbody>
<tr>
<td>PROJECT NAME</td>
<td>Indigo Subdivision (a part of property f.k.a. Riker Subdivision)</td>
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<tr>
<td>LAND OWNER</td>
<td>Neal Communities of SW Florida, Empire State Holding Group, LLC, Eric D. Jackson and Joanne Y. Jackson, Archie M. Smith and April A. Smith, Mark Heller, Samuel Scott Smith, and Wayne A. Rex</td>
</tr>
<tr>
<td>APPLICANT(S) / AGENT</td>
<td>Katie LaBarr, AICP / STANTEC</td>
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<tr>
<td>PROPOSED ZONING</td>
<td>PDR (Planned Development Residential)</td>
</tr>
<tr>
<td>EXISTING ZONING</td>
<td>• PDR (Planned Development Residential): 200.64 acres</td>
</tr>
<tr>
<td></td>
<td>• A (General Agriculture): 37.36 acres</td>
</tr>
<tr>
<td></td>
<td>• A-1 (Suburban Agriculture): 2.96 acres</td>
</tr>
<tr>
<td></td>
<td>• PDMU (Planned Development Mixed Use): 0.81 acres</td>
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<tr>
<td>PROPOSED USE(S)</td>
<td>Add 120 lots for total of 710-lots for single-family detached and semi-detached residences</td>
</tr>
<tr>
<td>CASE MANAGER</td>
<td>Rossina Leider, Principal Planner</td>
</tr>
<tr>
<td>STAFF RECOMMENDATION</td>
<td>APPROVAL with Stipulations</td>
</tr>
</tbody>
</table>

### DETAILED DISCUSSION

The ±241.77-acre site is located on the east side of White Eagle Boulevard and on the north side of 44th Avenue East, approximately 0.85 miles southwest of SR 64, and 2.0 miles north of SR 70.

### SITE AERIAL

![Site Aerial Map](image-url)
History

- On 04/03/2014, approximately 40.21 acres of the subject property was rezoned to PDR and a Preliminary Site Plan was approved for 120 lots for single-family detached residences [PDR-13-39(Z)(P) – Loraine B. Riker Rezone/Riker Subdivision].

- On 02/05/2015, ±111.11 acres were rezoned to PDR (Planned Development Residential) and added to the previously approved Riker Subdivision (40.21± acres) for a total overall site of 151.32± acres. At that time, a new Preliminary Site Plan was approved [PDR-14-25(Z)(P)] for 333 additional lots for single-family detached residences for a combined total of 453 lots (120 lots already approved).

- On 03/03/2016, a total of ±49.32 acres were rezoned to PDR and added to the previously approved ±151.32-acre site for a total project area of 200.64± acres. A new Preliminary Site Plan [PDR-15-15(Z)(P)] for 137 additional lots for single-family detached and semi-detached residences and a combined total of 590 lots was approved (453 lots already approved).

Request

The current request is to rezone a total of 41.13± acres [37.36± acres from A (General Agriculture), 2.96± acres from A-1 (Suburban Agriculture), and 0.81± acres from PDMU (Planned Development Mixed Use)], to PDR (Planned Development Residential) and add to the previously approved 200.64± acres (already zoned PDR) for a total project site of 241.77± acres. The applicant also requests approval of a new Preliminary Site Plan for 120 additional lots for single-family detached and semi-detached residences for a combined total of 710 lots (590 lots already approved). The new Preliminary Site Plan with the proposed stipulations will replace the prior approved Preliminary Site Plan [PDR-15-15(Z)(P)].
The majority of the is within the UF-3 (Urban Fringe – 3) FLUC, and a small portion to the west falls within the MU-C/R (Mixed Use-Community/Residential) FLUC.

**FUTURE LAND USE**

The Preliminary Site Plan proposes:

- A unified preliminary site plan for a total of 710 residential single-family units (detached and semi-detached) in 241.77 acres, including 120 additional lots to the previous approved plan. The proposed design contemplates changes to the layout of prior approved Phase 7, as well as a new Phase 8 on the northern portion of the site. No changes to Phases 1 to 6 are proposed.

- The overall site plan shows a residential gated community with three (3) existing main access points along planned thoroughfares and one (1) proposed emergency access as follows:
  - One boulevard entrance on 44th Avenue East, and one resident only entrance near the eastern edge of the project on 44th Avenue East, a future four-lane arterial roadway.
  - One boulevard entrance on White Eagle Boulevard, a four-lane collector roadway, and
  - An emergency access point from a cul-de-sac on Seasong Terrace and terminus near the northwest corner of the site, to Pope Road (County maintained road) that connects to White Eagle Boulevard.

- One main access point from Aquamarine Avenue to serve a total of 223 lots, located on the reconfigured Phases 7 and new Phase 8. The applicant is requesting specific approval since a second means of access is
required for residential development containing more than 100 units according to LDC Section 1001.C, and as a mitigation factor is proposing the above referenced emergency access from the terminus of Seasong Terrace to Pope Road.

- Lots will be located on both sides of 50 feet wide private local streets (2-lanes and 24 feet pavement width), and sidewalks on both sides (5 feet wide).

- Minimum lot size varies from 5,289 sq. ft. (43’ wide) for single-family detached units to 4,340 sq. ft. (35’ wide) for single-family semi-detached units. The proposal includes the option to define the combination of lots by sizes at Final Site Plan.

- A gross and net density of 2.94 and 4.81 dwelling units per acre respectively, in compliance with the provisions of the Comprehensive Plan (maximum of 3 du/acre gross and 9 du/acre net) for projects within the UF-3 and MU-C/R FLUCs.

- Minimum 50 feet wide roadway buffer along 44th Avenue East, and White Eagle Boulevard (south and part of the west boundary), 20 feet wide roadway buffer along Pope Road (northwest portion of the site), 15 feet greenbelt buffer (west boundary not adjacent to White Eagle Boulevard, and north property line), as well as a 30-foot and 50-foot wide wetland buffer where applicable along the east boundary. Roadway buffers are installed according previous stipulation that required enhanced landscaping. Adequate separation has been provided from potential active agricultural uses.

- 38% of the site is designated as open space (94.03 acres), exceeding the minimum requirement for a Planned Development Residential (25%). Lakes and floodplain compensation areas are generally located behind residential lots and represent approximately 26% of the total proposed open space (24.22 acres).

- 2.20 acres of recreational areas will be provided as “neighborhood focal point”, including an existing amenity center (clubhouse and pool), and a future amenity area (pool and cabana) on the northern portion of the site (already constructed).

- Environmental Planning staff is supporting proposed impacts and development of Wetland 4 (0.27 acres of impacts) to locate lots 646, 647, 648, 649, 650, and 651 based on an Ecosystem Management Plan provided by the applicant in order to avoid development within the floodway.
Policies 2.2.1.11 and 2.2.1.28.5 of the Manatee County Comprehensive Plan (UF-3 and MU-C/R FLUCs) allow consideration of suburban or urban density planned development residential developments with integrated recreational uses in the range of potential uses, with a maximum density of 3 du/acre gross and 9 du/acre net.

Special Approval is required to be granted by the Board of County Commissioners for a project: 1) exceeding a gross density of 1.0 dwelling unit per acre in the UF-3 and MU-C/R FLUCs, 2) exceeding a net density of 3.0 dwelling unit per acre in the UF-3 and MU-C/R FLUCs), 3) Adjacent to a perennial stream, and 4) with habitable structures in pre-development 25-year floodplain.

As previously mentioned, the applicant requests Specific Approval for an alternative of LDC Section 1001.1.C.3 to allow that a proposed emergency access will serve as a second means of access for 223 lots on Phases VII and VIII. During the review process staff raised concerns related to the proposed emergency access and requested that instead the proposal includes a full access point from the terminus of Seasong Terrace to Pope Road.

The applicant provided additional information to demonstrate that there are site and technical constrains that limit the possibility to offer a full direct access to White Eagle Boulevard via Pope Road. After further analysis and coordination with the applicant, it is determined that the alternative design meets the access requirements since will allow satisfactory ingress of emergency vehicles in compliance with the provisions of the LDC Section 1001.1.C.3.
Planned Development is the necessary process to achieve Special Approval and Specific Approval. PDR zoning provides flexibility for the project to establish appropriate design conditions (buffers, dimensional standards, etc.) and to help mitigate potential adverse impacts to surrounding properties.

The purpose of the Special Approval and Specific Approval request is satisfied by the proposed project’s design. Staff recommends Approval with stipulations.

### SITE CHARACTERISTICS AND SURROUNDING AREA

| ADDRESS | 2615 Pope Road, Bradenton (Manatee County) |
| GENERAL LOCATION | Generally located on the north side of 44th Avenue East, and east of White Eagle Boulevard |
| ACREAGE | ±241.77 acres |
| EXISTING USE(S) | Single-family residences and vacant agricultural land |
| FUTURE LAND USE CATEGORY(S) | • UF-3 (Urban Fringe) – (Max. 3 density dwelling units per acre)  
• MU-C/R (Mixed Use–Community/Residential) (Max. 3 dwelling units per acre) |
| OVERLAY DISTRICT(S) | N/A |
| DENSITY (Max. within MU-C/R & MU-C/AC-3: Gross: 3.0 du/acre & Net: 9.0 du/acre) | Gross: 2.94 du/acre  
Net: 4.81 du/acre |
| SPECIAL APPROVAL(S) | 1) Exceeding a gross density of 1.0 dwelling unit per acre in the UF-3 and MU-C/R FLUCs (Policies 2.2.1.11.4 & 2.2.1.28.5)  
2) Exceeding a net density of 3.0 dwelling unit per acre in the UF-3 and MU-C/R FLUCs (Policy 2.2.1.11.4 & 2.2.1.28.5)  
3) Adjacent to a perennial stream (Policy 3.2.2.1)  
4) With habitable structures in pre-development 25-year floodplain (Policy 2.3.3.4) |
| SPECIFIC APPROVAL(S) | LDC Section 1001.1.C.3 – Allow a proposed emergency access to serve as a second means of access. |

### SURROUNDING USES & ZONING and PDMU

| NORTH and NORTHEAST | Stormwater facility and vacant land part of Lakewood Centre DRI zoned PDMU, and residential land zoned PDR (Serenity Creek Subdivision) |
| SOUTH | Across 44th Ave. E. is the Northwest Sector DRI zoned PDMU which includes:  
- a golf course to the southeast (Esplanade @ Lakewood Ranch Subdivision), and  
- a residential subdivision to the southwest (Central Park) |
| EAST | Agricultural land (grazing) zoned A (General Agriculture) |
| WEST | Areas within Lakewood Centre DRI zoned PDMU, including:  
- stormwater ponds immediately to the west of the site, and |
- further west, across White Eagle Boulevard, residential subdivisions (Mallory Park, & Arbor Grande)

### SITE DESIGN DETAILS

| LOT SIZE(S) (MINIMUM) | Single-family detached: 5,289 sq. ft. (minimum width = 43')
| - (Number of units by size may be determined at FSP) | Single-family semi-detached: 4,340 sq. ft. (minimum width = 35') |
| | |

| SETBACKS (MINIMUM) | Unit Type | Front | Side | Rear |
| - (No changes from previous approved setbacks are considered at this time) | Single-family detached | 23'/20'* | 5' | 15' |
| | Single-family semi-detached | 23'/20'* | 0'/5' | 15' |
| | Amenity Center/pools | 20' | 5' | 15' |
| | Waterfront | 30' |

*25'-foot separation between garage and edge of sidewalk will be provided. Corner lots shall provide a 20-foot setback from the structure (non-garage) to the property line adjacent to the other street.

| OPEN SPACE | Required: 25% or 60.44± acres
| (*) Stormwater ponds make up 25.76% 24.22 acres) of the total proposed open space. | Provided: 38% or 94.03± acres (*) |

| RECREATIONAL ACREAGE & AMENITIES | Recreation Acreage: 2.20 acres including:
| (*) (Already constructed) | - Existing Amenity Center with clubhouse and a pool (south portion of the site)
| | - Proposed Amenity Area with pool and cabana (northwest portion of the site) (*) |

| BUFFERS | 50-foot wide roadway buffer along 44th Avenue East and White Eagle Boulevard & 20-foot wide roadway buffer along Pope Road
| | 15-foot wide greenbelt |

| ACCESS | Gated Community with three (3) main access points and one (1) proposed emergency access:
| | - Two (2) existing access points along 44th Avenue East (boulevard entrance on the southwest, and a full access point on the southeast)
| | - One (1) existing access along White Eagle Boulevard (boulevard entrance)
| | - One (1) proposed emergency access along White Eagle Boulevard |

| PARKING MINIMUMS | Residents: two (2) parking spaces per dwelling unit (according to LDC Section 1005.3)
| (*) Parking area for the existing Amenity Center is already provided | Recreational Area Parking for proposed amenity area will be provided according to LDC Section 1005.3 (required and provided number of parking spaces will be determined at Final Site Plan) (*) |

| FLOOD ZONE(S) | Site lies in Zones "X" (areas outside of 100-year floodplain delineation), "AE" (areas within 100-year floodplain delineation; Base Flood Elevation (B.F.E.) varies from 27.5 to 32 feet NAVD, and floodway per FIRM Panels 12081C0331E, 12081C0333E, 12081C0334E, effective 3/17/2014.)
AREA OF KNOWN FLOODING

Yes, rainfall. A 50% reduction in pre-development allowable runoff is required for Mill Creek Watershed. Refer to Stormwater Engineering Stipulation B.1.

Watershed/basin: Mill Creek

UTILITY CONNECTIONS

Potable water
16” potable water main along the south side of 44th Ave E.

Sewer
24” sanitary force main along the north side of 44th Ave E.

Reclaimed Water
24” reclaimed water main along the north side of 44th Ave E.

ENVIRONMENTAL INFORMATION

Overall Wetland Acreage
(*) 11.00 acres of wetlands within the overall project area (241.77 acres)

4.02 acres within Phase 8 (*)

Proposed Wetland Impacts

1.02 acres within Phase 8

Wetlands

Eco Consultants Inc. identified four wetlands for a total of 4.02 acres of wetlands on the Phase 8 addition project site. The applicant is proposing to impact total 1.02 acres of wetland within the four different wetlands as outlined below.

Wetland 1 0.01 acres
Wetland 3 0.22 acres
Wetland 4 0.27 acres
Wetland 5 0.52 acres

Wetland 3 is a non-viable wetland completely within the project boundaries. Section 706.5.A of the LDC allows an applicant the ability to impact non-viable wetlands which are completely within the project boundaries. The applicant is not under the obligation to demonstrate avoidance and minimization. However, impacts shall require authorization by the appropriate State and Federal regulatory authorities and wetland mitigation shall be provided in accordance with Section 706.6.

Wetlands 1 and 5 have been impacted in the past due to piece-meal loss and degradation of wetlands from past development activities which have resulted in isolating these wetlands.

The area identified as Wetland 4 is Palustrine Emergent (herbaceous) portion of a larger system which continues offsite and includes higher quality forested areas. The proposed impacts to Wetland 4 includes creation of lots 6 lots (646, 647, 648, 649, 650, and 651) within the wetland and buffer which is not consistent with section 706.3 of the LDC, which notes that no development shall occur in a wetland or wetland buffer unless approved in accordance with this Section.

The proposed impact to Wetland 4 are the result of clustering the development to avoid construction in the regulatory floodway of Mill Creek.

The applicant is asking for relief from developing in the floodway to protect human life and health and minimize the potential for property damage and personal injury from flooding. In exchange, the applicant is proposing to relocate the 6 lots within a portion of the wetland which has been identified by Eco Consultants Inc. as a lower functioning portion of Wetland 4 and its buffer which is consistent with the intent of the floodplain management regulations to protect human life and health and minimize the potential for property damage and personal injury from flooding.

Applicant is proposing to mitigate impacts to Wetland 4 by providing an Ecosystem Management Plan which will provide for significant additional preservation, enhancement or restoration of native habitats that will result in a net environmental gain. This will include on-site wetland creation, restoration and enhancement through the ecosystems.
management plan to be finalized prior to final site plan. This will include a ±2.25-acre wetland creation in the floodway area and enhancement to on-site wetlands to include planting and nuisance species management.

**COMPLIANCE WITH THE COMPREHENSIVE PLAN**

**ANALYSIS**

Policy 3.3.1.1. Prohibits 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. [See Policy 4.1.2.2 of the Coastal Management Element for coastal wetlands.]

Objective 2.3.3. Floodplain Management - Directs development away from areas subject to flooding to reduce risks to life and property and to minimize costs to County residents for replacing damaged infrastructure.

**POLICY 2.3.3.1.** Prohibit any new development (except redevelopment) within the floodway of any perennial stream, except for water-dependent uses and except for projects which generally would not result in an increase in flood levels in the community during the occurrence of the base [one hundred (100) years] flood discharge. (See policy 2.3.1.2)

**FINDING**

The applicant is seeking relief from developing within the floodway in order to reduce risks to life and property and to minimize costs to County residents for replacing damaged infrastructure. Applicant is proposing to mitigate impacts to Wetland 4 by providing an Ecosystem Management Plan which will provide for significant additional preservation, enhancement or restoration of native habitats that will result in a net environmental gain and overriding public benefit.

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE (LDC)**

**ANALYSIS**

Section 802. - Floodplain Management. 802.1. Purpose and Intent. The objectives of the floodplain management regulations are to: (1) protect human life and health; (2) minimize the potential for property damage and personal injury from flooding; (3) minimize expenditure of public money for costly flood control projects; (4) minimize the need for rescue and relief efforts associated with flooding, which are generally undertaken at the expense of the general public; (5) minimize damage to public facilities and utilities located in the one hundred-year floodplain; (6) maintain a stable tax base by providing for the sound use of flood prone areas in such a manner as to minimize future flood blight areas; (7) restrict adverse interference with the normal movement of surface waters; (8) maintain the natural hydrological and ecological functions of wetlands and other flood prone lands; and (9) enable Manatee County to qualify for participation in the National Flood Insurance Program.

Based on the intent of Section 802. - Floodplain Management. The applicant is proposing to relocate lots 646, 647, 648, 649, 650, and 651 to within a portion of Wetland 4 and buffer which is consistent with the intent of the floodplain management regulations to protect human life and health and minimize the potential for property damage and personal injury from flooding.

The area identified as Wetland 4 is a Palustrine Emergent (herbaceous) portion of a larger system which includes higher quality forested areas. The proposed impacts to Wetland 4 includes the creation of six lots within the wetland and buffer which is not consistent with Section 706.3 of the LDC, which notes that no development shall occur in a wetland or wetland buffer.

Section 706.5.C. Impacts to Wetlands, Overriding Public Benefit. The impact to the wetland is included as part of an Ecosystems Management Plan and the conditions of the development approval will provide for significant additional preservation, enhancement or restoration of native habitats that will result in a net environmental gain (or a commensurate monetary contribution earmarked for such purpose).

The applicant is voluntarily proposing an Ecosystems Management Plan. Applicant is proposing to mitigate impacts to Wetland 4 by providing an Ecosystem Management Plan which will provide for significant additional preservation, enhancement or restoration of native habitats that will result in a net environmental gain.
The application is proposing to impact approximately 1.02 acres of the 4.02 acres of wetlands within the project area. Of the 1.02 acres of wetland impacts, 0.80 acres do not meet the criteria to be considered non-viable or as preventing a reasonable use of the property. The following ecological improvements exceeding the minimum requirements of the LDC are proposed within Phase 8 as justification for the 0.80 acres of avoidable wetland impacts as part of an Ecosystems Management Plan consistent with LDC Section 706.5.C.2:

<table>
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<tr>
<th>Habitat Type</th>
<th>Required (Acres)</th>
<th>Additional (Acres Gained)</th>
<th>Total (Acres Preserved)</th>
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<td>Wetland Enhancement</td>
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<td>3</td>
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<td>Wetland Creation</td>
<td>.5</td>
<td>1.75</td>
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<td>Totals</td>
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<td>7.41</td>
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The proposed project results in a significant environmental benefit by restoring wetland and upland habitats within the project boundary, and wetland creation exceeding the minimum wetland mitigation requirements.

**FINDING**

Section 706.3 of the LDC, which notes that no development shall occur in a wetland or wetland buffer. The applicant has failed to provide the burden of proof that removing the 6 lots from the wetland identified as Wetland 4 would result in the loss of reasonable use of the property.

Section 802.1 of the LDC, directs development out of the floodplain and the applicant is proposing to avoid building within the floodway by relocating the 6 lots within a low functioning portion of Wetland 4.

The applicant has developed an Ecosystem Management Plan which will include on-site wetland creation, restoration and enhancement through the ecosystems management plan to be finalized prior to final site plan. This will include a ±2.25-acre wetland creation and 2.16 acres of upland habitat in the floodway area and 3 acres of enhancement to on-site wetlands to include planting and nuisance species management.

**OVERALL FINDING**

The area identified as Wetland 4 is Palustrine Emergent (herbaceous) portion of a larger system which includes higher quality forested areas. The proposed impacts to Wetland 4 includes the creation of six lots within the wetland and buffer which is not consistent with Section 706.3 of the LDC, which notes that no development shall occur in a wetland or wetland buffer. The applicant has failed to provide the burden of proof that removing the 6 lots from the wetland identified as Wetland 4 would result in the loss of reasonable use of the property.

However, the applicant is asking for relief from developing in the floodway to protect human life and health and minimize the potential for property damage and personal injury from flooding. In exchange, the applicant is proposing to relocate 6 lots within the wetland and buffer which is consistent with the intent of the floodplain management regulations to protect human life and health and minimize the potential for property damage and personal injury from flooding.

In addition, the applicant is providing mitigation through an Ecosystem Management Plan which will provide for significant additional preservation, enhancement and restoration of native habitats that will result in a net environmental gain. Net environmental gain in the Ecosystem Management Plan provides a net environmental gain and is roughly proportional and provides a rational nexus to the proposed wetland impacts for Wetland No. 4. Based on the Ecosystem Management Plan and to avoid development within the floodway staff is recommending approval and has “No Objection”.

**Uplands**

The majority of the upland areas in Phase 8 are classified as unimproved pastures (13.58 acres) and low density residential (13.79 acres). These areas support some scattered native tree canopy and low vegetation, but are mostly...
Endangered Species

No listed species were documented by the environmental consultant during site visits in September 2017, December 2017 and January 2018. However, potential habitat exists for Gopher Tortoise, Eastern Indigo Snake, Wood Storks and Sandhill Cranes.

Trees

Tree removal and replacement matrixes have been submitted for this preliminary site plan/rezone application. Phase 8 requires the removal of 340 trees and 558 replacement trees. The applicant has committed that they will meet the open space requirement that a minimum of 35% of the required open space shall consist of existing native plant communities.

Landscaping/Buffers

Roadway buffers: 50’ along White Eagle Boulevard and 44th Avenue East., and 20’ along Pope Road (northwest corner of the site) planting with 2 canopy trees & 33 shrubs/100 LF.

Greenbelt buffers: 15’ perimeter greenbelt buffers.

Applicant has proposed 15’ Greenbelt Buffers with 1 canopy tree/30 per LF along the north and west property boundaries of the Phase 8 parcel. Some areas will utilize the existing vegetation of the forested wetland as buffer. Landscaping plant material details will be reviewed and commented on with the Final Site Plan.

<table>
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<tr>
<th>PROJECT</th>
<th>LOTS / UNITS</th>
<th>DENSITY (gross) &amp; INTENSITY</th>
<th>FLUC</th>
<th>ZONING</th>
<th>MIN. LOT SIZE</th>
<th>APPROVED</th>
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<td>Solera at Lakewood Ranch</td>
<td>675 units</td>
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<td>MU-C/R</td>
<td>PDR</td>
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<td>MU-C/R &amp; MU-C/AC-3</td>
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<tr>
<td>Serenity Creek</td>
<td>111</td>
<td>1.71 du/acre</td>
<td>UF-3</td>
<td>PDR</td>
<td>9,500 sq. ft.</td>
<td>2013</td>
</tr>
<tr>
<td>Central Park</td>
<td>826 units</td>
<td>2.33 du/acre</td>
<td>UF-3</td>
<td>PDMU</td>
<td>4,950 sq. ft.</td>
<td>2011</td>
</tr>
</tbody>
</table>
## MIXED USE & COMMERCIAL

<table>
<thead>
<tr>
<th>Location</th>
<th>Units/Size</th>
<th>Density &amp; FAR</th>
<th>Plan Type</th>
<th>FAR</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest Sector DRI</td>
<td>4,422 units 200,000 sq. ft. commercial, 105,000 sq. ft. office, &amp; golf course</td>
<td>2.9 du/acre &amp; 0.16 FAR</td>
<td>RES-1 &amp; UF-3</td>
<td>PDMU</td>
<td>4,950 sq. ft. (SFD) 2,500 sq. ft. (SFA)</td>
</tr>
<tr>
<td>Shopping Center @ SR 70 &amp; Lorraine Road</td>
<td>82,600 sq. ft. commercial</td>
<td>0.12 FAR</td>
<td>R/O/R</td>
<td>PDC</td>
<td>N/A</td>
</tr>
<tr>
<td>Lorraine Corners Northeast</td>
<td>220 units 573,500 sq. ft. commercial &amp; office, or combination of residential, commercial &amp; office uses</td>
<td>9.00 du/acre &amp; 0.35 FAR</td>
<td>MU-C &amp; ROR</td>
<td>PDMU</td>
<td>N/A (multifamily)</td>
</tr>
</tbody>
</table>
## COMPLIANCE WITH LDC

<table>
<thead>
<tr>
<th>Standard(s) Required</th>
<th>Design Proposal</th>
<th>Compliance</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUFFERS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20’ Roadway Buffer (44th Avenue East, White Eagle Boulevard &amp; Pope Rd.)</td>
<td>50’ &amp; 20’ Shown</td>
<td>Y</td>
<td>Exceeds and/or meets standards</td>
</tr>
<tr>
<td>15’ Greenbelt buffer</td>
<td>15’ Shown</td>
<td>Y</td>
<td>Meets standards</td>
</tr>
<tr>
<td>50’ &amp; 30’ Wetland Buffer</td>
<td>50’ &amp; 30’ Shown</td>
<td>Y</td>
<td>Meets standards</td>
</tr>
<tr>
<td>Roadway Buffer Landscaping</td>
<td>Shown</td>
<td>Y</td>
<td>Meets standards of LDC Section 701. Buffers has been installed in accordance with staff recommended stipulations</td>
</tr>
<tr>
<td><strong>TREES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tree Removal and Replacement</td>
<td>Not required to be shown at PSP</td>
<td>Y</td>
<td>No information at this time; however, there is a note on the landscape plan indicating that tree removal &amp; replacement will be in compliance with LDC Section 700 and provided at Final Site Plan</td>
</tr>
<tr>
<td>Street Trees</td>
<td>Shown (Not required to be shown at PSP)</td>
<td>Y</td>
<td>Meets standard</td>
</tr>
<tr>
<td><strong>SIDEWALKS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5’ wide internal sidewalks</td>
<td>Shown along both sides of streets</td>
<td>Y</td>
<td>Meets standard</td>
</tr>
<tr>
<td>5’ wide external sidewalks (along White Eagle Boulevard &amp; 44th Avenue East)</td>
<td>Shown</td>
<td>Y</td>
<td>Meets standard</td>
</tr>
<tr>
<td><strong>DRIVEWAYS, ROADS &amp; RIGHTS-OF-WAY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50’ Internal Right-of-Way</td>
<td>Shown</td>
<td>Y</td>
<td>Meets standard (Streets to be private)</td>
</tr>
<tr>
<td>24’ paved roadways</td>
<td>Shown</td>
<td>Y</td>
<td>Meets standard</td>
</tr>
</tbody>
</table>
TRANSPORTATION

Major Transportation Facilities
The site is adjacent to 44th Avenue East which is designated as a four lane arterial road and White Eagle Boulevard which is designated as a four lane collector road in the Comprehensive Plan's Future Traffic Circulation Plan. Both roadways have a planned right of way width of 120 feet.

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 White Eagle Boulevard adjacent to the site. The results of the TIS, which was reviewed and accepted by the Transportation Planning Division, indicated that the impacted roadway segment is anticipated to operate above the level of service (LOS) D performance standard with no off-site concurrency-related improvements required to mitigate the project’s impacts (see Certificate of Level of Service Compliance table below).

Access
The site has access to the thoroughfare roadway network via driveway connections on 44th Avenue East and White Eagle Boulevard. The TIS identified the following existing site related improvements at the project access locations and determined that no additional modifications were necessary to accommodate project traffic.
1. 350 foot eastbound left-turn lane at the western driveway on 44th Avenue East, which includes 50 feet of queue storage and a 50 foot taper.
2. 235 foot eastbound left-turn lane at the eastern driveway on 44th Avenue East, which includes 50 feet of queue storage and a 50 foot taper
3. 185 foot northbound right-turn lane at the driveway on White Eagle Boulevard, which includes a 50 foot taper.
4. 235 foot southbound left-turn lane at the driveway on White Eagle Boulevard, which includes 50 feet of queue storage and a 50 foot taper.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE
TRANSPORTATION CONCURRENCE

CLOS APPLIED FOR: Yes
TRAFFIC STUDY REQ’D: Yes

<table>
<thead>
<tr>
<th>NEAREST THOROUGHFARE</th>
<th>LINK</th>
<th>ADOPTED LOS</th>
<th>FUTURE LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>White Eagle Boulevard</td>
<td>4150</td>
<td>D</td>
<td>C</td>
</tr>
</tbody>
</table>

Solid waste landfill capacity and preliminary drainage intent have been reviewed with the preliminary site plan. Potable water, waste water, and school facilities will be reviewed at the time of final site plan.
**POSITIVE ASPECTS**

- The site has frontage along planned thoroughfares (44th Avenue East and White Eagle Boulevard, arterial and collector roadways respectively).
- Growth occurring from west to east is consistent with the availability of services. The surrounding area is transitioning from agricultural uses and suburban agricultural uses to residential developments, as well as mixed-use projects (residential, commercial, office uses). Timing appears to be consistent with development trends in the area.
- The project meets the intent of the UF-3 and MU-C/R FLUCs by proposing a low-moderate residential development.
- The design provides more than 38% of open space (25% is required).
- There are existing and proposed recreational amenities that promote neighborhood.
- The proposed PDR (Planned Development Residential) zoning district allows the BOCC to stipulate development to ensure compatibility.

**NEGATIVE ASPECTS**

- The project is adjacent to one parcel in the “A” zoning district which allows agricultural uses that may be potentially incompatible with single-family residences.
- Proposed lots are significantly smaller than what is allowed in adjacent agricultural property.
- Residences adjacent to planned thoroughfares may experience potential negative impacts related to light, glare, noise, and pollution.
- The project proposed one main access point to serve 223 residential units located in Phase VII and VIII.
- Impact to wetlands within the site.

**MITIGATION FACTORS**

- Staff previously recommended to include language in the “Notice to Buyer” informing prospective buyers of the presence of potential adjacent agricultural operations.
- Adequate separation and open space (stormwater pond) has been provided to address compatibility with potential adjacent agricultural use.
- A minimum 50-foot wide roadway buffer along 44th Avenue East and White Eagle Boulevard has been installed, in accordance with previously staff recommended stipulation. The roadway buffer includes enhanced landscaping or a six-foot high decorative wall or fence, with landscaping on the exterior side of the fence to be installed along the interior edge of the 50-foot wide buffer.
- Proposed lot sizes are comparable and consistent with approved residential and mixed-use projects in the nearby area.
- An emergency access, as described in the request for Specific Approval, in the northwest corner of the project has been proposed to serve as a second means of access for lots within Phases VII and VIII. The proposal is supported by Manatee County Public Works and Public Safety Departments. The applicant has represented in the request for Specific Approval dated June 21, 2018 for the second means of access that the East Manatee Fire & Rescue supports the request.

**REMAINING ISSUES OF CONCERN**

(Not resolved or conditioned with recommendation of approval)

No remaining issues
SPECIFIC APPROVALS – FINDINGS

1. Alternative to LDC Section 1001.1.C.3 – To allow an alternative design providing a proposed emergency access to serve as a second means of access

LDC Section 1001.1.C requires a second means of access for all residential developments or parts of phases thereof, containing more than 100 residential units.

Staff Analysis and Recommendation:
The Preliminary Site Plan reflects a neighborhood on the northern portion of the development that will contain a 223 residential units (Phase 7 and 8) with a single access point provided from Aquamarine Avenue. In order to further address two-means of access to this neighborhood, the Preliminary Site Plan reflects a gated, 24 feet-wide paved emergency access from the terminus of Seasong Terrace (cul-de-sac) to Pope Road, County maintained road which connects to White Eagle Boulevard.

Section 1001.1.C.3 states the Board may consider an alternative design for the construction of the secondary means of access where specific design incorporates security elements for a residential planned development and provides satisfactory ingress by emergency vehicles, the right-of-way design for width and radii are adhered to, the design meets the appropriate utilities and drainage requirements, and the area above the ground surface shall remain free and unobstructed to allow ready access by emergency vehicles to the neighborhood. Staff has determined the request is consistent with the provisions identified above.

The proposed emergency access point shall comply with specifications and requirements for transponder activation. The gated paved emergency access cross section will be designed to support a fire apparatus or an ambulance, and subsequently reviewed and approved by East Manatee Fire & Rescue and Public Safety Department with the Final Site Plan submittal.

Staff is in support of the request for Specific Approval for an alternative design as provided in Section 1001.1.C.3 of the LDC to allow a proposed paved emergency access to serve as a second means of access.

Finding for Specific Approval:
Notwithstanding the failure of this plan to comply with the requirements of LDC Section 1001.1.C.3, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed alternative design providing secondary means of access through an emergency access connection.

SPECIAL APPROVALS – 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.

With habitable structures in pre-development 25-year floodplain (Policy 2.3.3.4) Special Approval is required for a project:

1. Exceeding a gross density of one (1) dwelling unit per unit acre in the UF-3 and MU-C/R FLUCs

The Manatee County Comprehensive Plan Policies 2.2.1.11.4 and 2.2.1.28.5 and the LDC Section 345.6 - Table 3-4 (B) require Special Approval for all projects for which gross residential density exceed one (1)
dwellings/unit/acre.

The intent of the UF-3 FLUC in Policy 2.2.1.11.1, indicates, “development in the UF-3 FLUC shall follow a logical expansion of the urban environment, typically growing from the west to the east, consistent with the availability of services. 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.”

The site meets the intent of the UF-3 FLUC. The site is in an area where development is occurring from west to east. Central Park is east of Lakewood Ranch Boulevard and south of 44th Avenue East. Eagle Trace is to the north, on the west side of White Eagle Boulevard. Development is also occurring on the west side of White Eagle Boulevard, with Mallory Park and Arbor Grand. Serenity Creek is on the east side of White Eagle Boulevard, north of the subject site.

A small part of the site adjacent to the northwest boundary is in the MU-C/R FLUC. A landscape buffer, pond and rear yards of approximately six lots are shown in this area. The project meets the Guiding Principles (effective organizations, neighborhood identity, connections, and open space) for suburban neighborhood development in the Land Use Operative Section of the Manatee County Comprehensive Plan.

The site is in an area where there is availability of services. Reclaimed water, water and sewer are along 44th Avenue East. An elementary school is located to the west.

The gross densities of the surrounding approved developments range from 1.71 dwelling units per acre to 2.66 dwelling units per acre. Although, a gross density of 2.94 dwelling units per acre is above the special approval threshold (one dwelling unit per acre) in UF-3 and MU-C/R FLUCs, the proposed density is consistent with the UF-3 and MU-C/R FLUCs.

2. Exceeding a net density of three (3) dwelling units per acre in the UF-3 and MU-C/R FLUCs

The Manatee County Comprehensive Plan Policies 2.2.1.11.4 and 2.2.1.28.5 and the LDC Section 345.6 - Table 3-4 (B) require Special Approval for all projects for which net residential densities exceed three (3) dwelling units/acre.

The proposed net density (4.81 du/acre) is below the maximum density threshold allowed in the UF-3 and MU-C/R FLUCs (9 du/acre net). The range of potential uses within the referenced FLUCs includes suburban and urban residential densities as part of planned development communities.

The proposed net density appears appropriate given the development trends in the surrounding area in which there are approved developments with a net density higher of 9 du/acre (e.g. Lorraine Corners Northeast).

3. Adjacent to a Perennial Stream

The Manatee County Comprehensive Plan Policy 3.2.2.1 and the LDC Section 345.6 - Table 3-4 (U) require Special Approval for projects adjacent to a perennial stream.

The site is adjacent to Mill Creek. The purpose of the Special Approval is to ensure that water quality of the perennial lake or stream will not be affected by the development and this will be accomplished through the runoff treatment requirements for storm water facilities and elimination of current ditch systems.

This application meets or exceeds the requirements of the Comprehensive Plan for Perennial Lakes or Streams. As conditions of approval, the Planned Development project includes requirements to provide stormwater facilities that provide extra treatment for runoff that will protect water quality of the perennial stream. The proposed preliminary site plan appears appropriate and consistent with the applicable regulations related to preserve and protect natural features and sensitive environments.

4. With habitable structures in pre-development 25-year floodplain

The Manatee County Comprehensive Plan requires Special Approval for projects with habitable structures in pre-development 25-year floodplain (Policy 2.3.3.4).

Special Approval is required for projects in the 25-Year Floodplain if structures and major public and private investment is proposed. The subject site is partially in the pre-development 25-Year Floodplain. Site design
provides for the minimization of impervious surfaces in the 25-year floodplain, and clustering of structures outside of the post-development 25-Year floodplain.

At time of Final Site Plan review, staff will confirm that all habitable structures are located outside of the post-development 25-Year Floodplain.

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.

<table>
<thead>
<tr>
<th>COMPLIANCE WITH THE LAND DEVELOPMENT CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>SECTION 342.3-REZONE CRITERIA</td>
</tr>
</tbody>
</table>

A. **Compatibility with the existing development pattern and the zoning of nearby properties:**
   The proposed PDR zoning district is consistent with the surrounding zoning of nearby properties. The 41.13± acres will become a part of an already approved planned development community.

B. **Changes in land use or conditions upon which the original zoning designation was based:**
   Major land uses and conditions upon which the original zoning designation was based have changed. The site is in an area which is transitioning from general and suburban agricultural uses to residential developments; Eagle Trace, Serenity Creek, Central Park, Mallory Park, Arbor Grand, and River Sands are all recently approved and/or constructed subdivisions in the surrounding area.

C. **Consistency with the current Comprehensive Plan:**
   The Manatee Comprehensive Plan designates this site as UF-3 (Urban Fringe -3 dwelling units per acre) and MU-C/R (Mixed Use-Community/Residential) on the Future Land Use Map. PDR is consistent with the current FLUCs, which allow consideration for suburban and urban density planned residential developments.

D. **Conflicts with existing or planned public improvements:**
   The proposed change will not conflict with any existing or planned public improvements. The site will connect to County water and sewer.

E. **Availability of public facilities, based upon a consideration of the following factors:**
   1. **Impact on the traffic characteristics related to the site, specifically trip generation potential.**
      Transportation concurrency was evaluated for the project. The Applicant prepared a Traffic Impact Analysis (TIA), and the conclusion of the approved TIA is that there are no off-site concurrency-related improvements required for the project (see Certificate of Level of Service Compliance table below).

   2. **Impact on population density or development intensity such that the demand for schools, sewer, streets, recreational areas and facilities, and other public facilities and services are adversely affected.**
      **Utilities**
      County water and sewer are in the vicinity of the proposed project. There is a 16-inch water main at the intersection of White Eagle Boulevard and 44th Avenue East. There is a 24-inch sanitary sewer force main along the north side of 44th Avenue East. There is a 24-inch reclaimed water main along the north side of 44th Avenue East.

      **Schools**
      The site is within the School Service Area 2 (SSA-2). The schools serving the area are Gullet Elementary, Haile Middle, and Lakewood Ranch High School. The Manatee County School Board report indicates the following:
      - The additional 120 dwelling units proposed at this time triggers a generation of 44 potential students: 25 students in elementary school, 11 students in middle school, and 8 students in high school.
- The overall proposal for 710 dwelling units triggers a total generation of 212 potential students: 111 students in elementary school, 47 students in middle school, and 54 students in high school.
- School capacity is available within the SSA-2 or contiguous SSA.
- The development is located within the two-mile walking radius of Gullet Elementary and future Jain Middle School. Sidewalks on both sides of the local streets and along the property frontages are required.

The Interlocal Agreement for Public School Facility Planning provides for the coordination between the four municipalities in Manatee County, the County and the School Board in regard to certain types of applications for residential development: Comprehensive Plan amendments providing for any increase in residential density; Zoning map amendments regarding permissible residential development and approvals for or amendments to development plans for residential development that authorize the new construction of 10 or more residential units.

The School Board is required to provide through their staff a written report that addresses specific items regarding school planning. The local government is required to enter the School Report containing a preliminary statement of available and projected school capacity, among other matters, into the public hearing record for the application. (School Report dated 12/12/2017 is attached to this Staff Report).

The Interlocal Agreement provides that unless the application is for a DRI development order or a local development agreement, the proposed residential development shall be eligible to receive a concurrency determination, as defined in the Interlocal Agreement, concurrent with authorization for commencement of horizontal construction or vertical construction, whichever occurs first. The school capacity and demand calculations and any actions that may be required to maintain the level of service standards are made by the appropriate entity at this later stage in the development review process, as required by the Interlocal Agreement.

Public Safety

Law enforcement will be provided by the Manatee County Sheriff’s Office, Public Safety will be provided by the Manatee County Public Safety Department, and fire protection by East Manatee Fire District.

3. Impact on public facilities planned and funded to support any change in density or intensity pursuant to the requirements of the Comprehensive Plan and applicable law.

Sufficient public facilities are available to the site. Connection to the County’s water and wastewater systems is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the applicant. The off-site extension shall be designed and constructed in accordance with the applicable county Master Plan and approved through the Public Works Construction Plans review process.

F. Health, safety or welfare of the neighborhood and County:

This application is not anticipated to have any negative adverse impacts on the public health, safety, and welfare.

G. Conformance with all applicable requirement of this Code:

The proposed amendment may be found to be consistent with all applicable requirements of the Land Development Code.

H. Consistency with the development patterns in the area and appropriateness for orderly development of the community. The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request:

The proposed amendment can be found to be consistent with the development patterns in the area and appropriate for orderly development of the community. Planned development provides greater flexibility for the project when establishing appropriate buffers and setbacks to help mitigate potential adverse impacts. Planned Development allows the Board to attach conditions to the proposed project to ensure compatibility and consistency with growing development trends in the area.
I. Logical expansion of adjacent zoning districts:
The proposed amendment can be found to be a logical expansion of adjacent zoning districts.

J. Impact on historic resources:
There are no known historic or archaeological resources on the site.

K. Environmental Impacts:
There are approximately 11.00± acres of wetlands. Approximately 1.02 acres wetland impact are proposed.

L. Types of allowable uses and impact of those on surrounding residential areas:
The proposed rezone of approximately 41.13 acres will be combined to an already approved 200.64 acres, increasing the total acreage of the Indigo planned development residential subdivision to 241.77± acres. The approval of the Preliminary Site Plan will allow an additional 120 lots for a total of 710 lots for single-family detached and semi-detached residential uses.

M. Relocation of mobile home owners, if applicable within the meaning of, and pursuant to Section 723.083, Florida Statutes:
There are no mobile homes existing on the site.

N. In the case of rezones to Planned Development, consistency with the Planned Development District standards contained in Chapter 4:
The factors for reviewing the proposed site plans in the LDC Section 402.6 are listed further in the staff report.

O. Any other matters which may be appropriate for consideration pursuant to this Code, the Comprehensive Plan or applicable law:
N/A

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COMPLIANCE WITH THE LAND DEVELOPMENT CODE
Preliminary Site Plan Review Criteria (LDC Section 322.2)
General Design Requirements for Planned Development Site Plans (LDC Section 402.6)
PDR – Planned Development Residential (LDC Section 402.7)

Physical Characteristics:
The overall site consists of ±241.77 acres with frontage along planned thoroughfares to the west and south (White Eagle Boulevard and 44th Avenue East, respectively). The site is adjacent to Mill Creek (perennial stream), and the eastern edge of the project area abuts an off-site wetland and a wetland buffer. A tower site is also adjacent to the easternmost boundary of the site.

The south and central portion of the site (200.64 acres) is zoned PDR (Planned Development Residential) and has developed with single-family residential units and/or is under construction. There are five (5) single-family residences and out-buildings, as well as vacant agricultural land on the ±41.13-acre remaining northern portion of the site, which is zoned A (General Agriculture), A-1 (Suburban Agriculture), and PDMU (Planned Development Mixed Use) and subject to rezone to PDR.

The site is in Flood Zones "X", "AE" & floodway per FIRM Panels 120181C0331E, 120181C0333E and 120181C0334E, effective 3/17/2014.

Public Utilities, Facilities and Services:
The site will be served by County water and sewer. There is a 16-inch water main along the south side of 44th Avenue East. There is a 24-inch sanitary sewer force main along the north side of 44th Avenue East. There is a 24-inch reclaimed water main along the north side of 44th Avenue East.
Schools:
The site is in School Service Area 2. Schools servicing the site are Gullett Elementary School, Carlos E. Haile Middle School and Lakewood Ranch High School. (See school concurrency analysis under “COMPLIANCE WITH THE LAND DEVELOPMENT CODE SECTION 342.3 - REZONE CRITERIA” and Attachment 6)

Compatibility:
The site is in an area where rapid growth is occurring. Eagle Trace, Serenity Creek, River Sands, Mallory Park, and Arbor Grande are all fairly new subdivisions in the surrounding area. The design shows 15 feet wide perimeter buffers. As part of previous approvals, staff recommended the inclusion of language in the Notice to Buyers informing future residents of the potential presence of neighboring agricultural uses. To the south, across 44th Avenue East, are Central Park and Esplanade Subdivisions in the Northwest Sector DRI and Lakewood Center DRI. The proposed use is compatible and consistent with existing development patterns nearby.

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

Design Quality:
This multi-phased project consists of 710 lots for single-family detached and semi-detached residences at a density of 2.94 dwelling units per acre.

The minimum lot size proposed is 5,289 square feet (minimum 43 feet wide) for single-family detached units and 4,340 square feet (minimum 35 feet wide) for single-family semi-detached units. All lots are arranged to have frontage from the internal roadways. The following chart indicates minimum proposed setbacks for the project:

<table>
<thead>
<tr>
<th>Use/Type</th>
<th>Front</th>
<th>Side</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family detached</td>
<td>23’/20’*</td>
<td>5’</td>
<td>15’</td>
</tr>
<tr>
<td>Single-family semi detached</td>
<td>23’/20’</td>
<td>0/5’</td>
<td>15’</td>
</tr>
<tr>
<td>Amenity center/pool</td>
<td>20’</td>
<td>5’</td>
<td>15’</td>
</tr>
<tr>
<td>Waterfront</td>
<td>30’</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*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.
TYPICAL LOTS LAYOUT – SINGLE-FAMILY DETACHED

TYPICAL LOTS LAYOUT – SINGLE-FAMILY SEMI-DETACHED
Circulation and Access Points:
Ingress, egress and internal traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allowing for desirable traffic flow, and adequate access in case of emergency situations via public and private local streets. The project design includes three (3) existing main access points along planned thoroughfares and one (1) proposed emergency access.

Indigo was originally designed to accommodate 120 residential units on 40± acres with a single boulevard entrance on 44th Avenue East, for which Specific Approval was granted. The first addition of land to Indigo increased the total unit count to 453 dwelling units, and the project was designed to provide one additional access point on 44th Avenue East. The third addition to Indigo increased the total unit count to 590 residential units, and a third access point was provided on White Eagle Boulevard. All three main access points have been constructed.

Certain site constraints limit opportunities for direct access to White Eagle Boulevard. Mill Creek is also located to the east of the subject site, and significant wetland systems exist adjacent to the creek, and throughout the northeastern portions of the property that are being added to the site. This addition has been designed to avoid encroachment into the Floodway and has avoided and minimized impacts to wetlands.

The PSP shows a proposed permanent “Emergency Only Access” point from the cul-de-sac that terminates near the northwest corner of the site, on Seasong Terrace, to Pope Road, a County maintained road that connects to White Eagle Boulevard. The applicant submitted a request and analysis seeking Specific Approval from LDC Section 1001.C.3, which allows Board consideration of an alternative design to allow that a proposed emergency access will serve as a second means of access for 223 lots located on Phases 7 and 8 that satisfy the following:

a. The alternative design shall incorporate specific security provisions to allow satisfactory ingress by emergency vehicles.
b. The right-of-way design standards for width and radii shall be adhered to.
c. The design shall retain the construction of appropriate utilities and drainage requirements.
d. The security components shall include the construction of and maintenance criteria for security gates and signage, in addition to the road base and surface stability for emergency vehicles.
e. The area above the ground surface shall remain free and unobstructed to allow ready access by emergency vehicles to the planned development.

After close coordination between staff and the applicant, it was determined that the alternative design meets access requirements for East Manatee Fire District. Design standard for road width and turning radii will be met through final site design. Utilities and drainage requirements will be met with the emergency access. The emergency access will be gated, and security components will include the construction of and maintenance criteria for security gates and signage, as well as road base and surface stability for emergency vehicles. Finally, the area above the ground surface will remain free and unobstructed to allow ready access by emergency vehicles to the development.

Streets, Drives, Parking and Service Areas:
The project has frontage along 44th Avenue East and White Eagle Boulevard. The proposed internal streets are private (50 feet wide R-O-W and 24 feet pavement width), and will be constructed to County standards to ensure safe vehicular travel, safety, maneuverability, and pedestrian connectivity.

Parking will be provided on proposed individual lots and new amenity area according to the requirements of LDC Section 1005. Off-Street Loading for the amenity area (if applicable) will be according LDC Section 1006.

Pedestrian Systems:
The site is within two miles of BD Gullett Elementary School. The design shows five-foot wide sidewalks along both sides of all internal roadways in the subdivision and the north side of 44th Avenue East, adjacent to the property’s frontage. Sidewalks have been constructed along both sides of White Eagle Boulevard.

Natural and Historic Features, Conservation and Preservation Areas:
There are 11.00± acres of on-site wetlands and 1.02± acres of wetland impacts. There are no known historical or archaeological resources on-site.
Density:
The site is within the UF-3 and MUC-R FLUCs. The proposal includes residential use with associated recreational facilities, with a gross and net density of 2.94 du/acre and 4.81 du/acre, respectively. Proposed density is consistent with the requirements of Policies 2.2.2.11.3 and 2.2.1.28.5 which allow a maximum range of density of 3 du/acre gross and 9 du/acre net. Proposed densities are comparable to densities of approved project in the nearby area which vary from 1.44 du/acre to 9.00 du/acre gross density, and 2.24 du/acre to more than 9.00 du/acre net density.

Special approval is required for a gross density exceeding one dwelling unit per acre and net density exceeding three dwelling units per acre in the UF-3 and MU-C/R FLUCs.

Height:
The maximum height for proposed residential and associated recreational structures is 35 feet. This height should not create any external impacts that would adversely affect the surrounding area.

Fences and Screening:
No fences are proposed along the perimeters of the subdivision. The design shows 15-foot wide perimeter buffer along the north boundary, and 20-foot wide roadway buffer along the northwest corner of the property where the site is adjacent to Pope Road. To the east, the site abuts a 30-foot and 50-foot wide wetland buffer. A 50-foot and 62.5-foot wide roadway buffer is installed adjacent to future White Eagle Boulevard and a 50-foot wide roadway buffer is adjacent to 44th Avenue East. To mitigate potential noise impacts along 44th Avenue East, staff previously recommended enhanced landscaping or a six-foot high decorative wall or fence, with landscaping on the exterior side of the fence to be installed along the interior edge of the 50-foot wide buffer. The buffer has been installed, in accordance with staff recommended stipulation.

Stormwater Management:
The entire project presently drains into Mill Creek Watershed, situated along the eastern boundary of the project. A watershed study of Mill Creek is presently underway through Manatee County and Southwest Florida Water Management District (SWFWMD). Mill Creek Watershed is identified by the County as a flood prone area. This watershed has been subject to 50% reduction of the allowable pre-development rate of discharge since April 14, 2005.

The proposed stormwater system will consist of stormwater retention ponds to provide water quality treatment and attenuation of runoff for the proposed construction of onsite roadways, home sites, amenity areas, etc. The proposed stormwater system will be required to comply with stormwater conditions (B1 though B3) included within the staff report, including 50% reduction in allowable pre-development rate of runoff. In addition, this project will be required to provide mitigation for impacts (fill) within the FEMA 2014 FIRM 100-year floodplain through floodplain compensation and demonstration of no adverse impacts.

Project is partially located within the FEMA 2014 FIRM 100-year floodplain (Zone “AE”) and FEMA Floodway. The project is also partially located within the County 25-year Floodplain. Floodplain delineation is also subject to delineation with the pending Mill Creek Watershed Study.

Proposed stormwater management facilities will be required to meet included stormwater engineering stipulations, Sections 801 and 802 of the Land Development Code, in addition to the Stormwater Design Manual. Final stormwater engineering design and drainage calculations will be provided and reviewed with the Final Site Plan and Construction Plan submittals.

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. The need to provide a dumpster to serve the new proposed amenity area on the north portion of the site will be analyzed at time of Final Site Plan submittal depending the type and intensity of activities to be placed in.

Signs:
All signs will meet the requirements of LDC Chapter 6. Signs will be reviewed with future Final Site Plan and Building Permits.

Entranceway Designation:
The project site is not within an area designated as a Mixed Use or an Entranceway of the County.
COMPLIANCE WITH THE COMPREHENSIVE PLAN

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

Policy 2.1.2.7 Appropriate Timing. The timing is appropriate given development trends in the area. The area is transitioning from agricultural to residential, as well mixed-use developments including commercial, and service areas.

Policies 2.2.1.11.1 and 2.2.1.28.1 Intent. The intent of the UF-3 (Urban Fringe – 3) FLUC is to provide for a low-density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. The intent of the MU-C (Mixed Use – Community) FLUC is to identify areas which are established as major centers of suburban/urban activity through identification of potential Activity Centers which shall be adopted as part of any FLUM amendment. Per the Future Land Use Map, the project area is designated within the MU-C/R FLUC.

Proposed density (2.94 du/acre gross and 4.81 du/acre net) is consistent with the maximum allowed gross and net density within UF-3 and MU-C/R FLUC (3 du/acre and 9 du/acre respectively). Special Approval for a project exceeding a gross and a net density of 1.0 dwelling unit per acre and 3 dwelling units per acre, respectively, is required to be granted by the BOCC.

Policies 2.2.1.11.2 and 2.2.1.28.5 Range of Potential Uses within UF-3 and MU-C/R FLUCs. The following uses are allowed within both referenced FLUC’s: suburban or urban density planned residential development with integrated residential support uses as part of such developments, neighborhood retail, short-term agricultural uses, interim farm worker housing, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses.

The proposed residential use (single-family detached and semi-detached) with associated recreational facilities is included in the range of potential uses for a project within the UF-3 and MU-C/R FLUCs.

Policy 2.6.1.1 Compatibility. The proposal is comparable with existing growing residential and mixed-use trends of the nearby area. The Preliminary Site Plan design is compatible with surrounding approved and existing residential developments (use, lot sizes, and setbacks), and appropriate buffers are provided for compatibility, screening and transition. Additionally, PDR allows the Board to attach stipulations to ensure compatibility with surrounding uses.

Policy 2.6.5.4 Preserve/Protect Open Space.
The Preliminary Site Plan shows 38% open space (94.03 acres) exceeding the minimum requirements of LDC Section 402.7.2 (25% or 60.44± acres).

STAFF RECOMMENDED STIPULATIONS

A. DESIGN AND LAND USE STIPULATIONS

1. No lots shall be platted through any landscape buffers, retention ponds, wetlands, wetland buffers, or upland preservation areas, unless approved through an Ecosystem Management Plan.

2. 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:
   a) The presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.
b) Internal streets are privately owned and maintained by the Homeowner’s Association or other appropriate legal entity.

3. Prior to Final Plat approval, enhanced landscaping or a six-foot high decorative opaque wall or fence shall be installed along the interior edge of the roadway buffer along 44th Avenue East and White Eagle Boulevard. Landscaping shall be installed on the exterior side of the wall or fence.

4. 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.

5. All other applicable state or federal permits shall be obtained before commencement of the development.

6. Any gates or emergency access points within the project shall be accessible to emergency providers in accordance with the requirements of applicable County ordinances and resolutions.

7. Final Site Plan (FSP) review and approval is required for any recreational or amenity area. Required number of parking spaces will be determined at FSP based on the type and square footage of the recreational uses. Any recreation or amenity structure shall have a minimum 20-foot setback from all property lines.

8. A 2-foot separation from the internal edge of the sidewalk to the property line shall be provide for all proposed front-loaded garage units to ensure a 25-foot separation from the sidewalk to the garage.

9. Any significant historical or archeological resources discovered during development activities shall be immediately reported to the Florida Department of State, Division of Historical Resources, and treatment of such resources shall be determined in cooperation with the Division of Historical Resources, and the County. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical 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 (Offenses Concerning Dead Bodies and Graves) shall be followed.

10. All lots adjacent to active agricultural operation shall have an additional 35’ setback, unless separated by a street or other designated open space at least 35’ in width. If an adjoining agricultural operation is no longer in effect at the time of submittal of the Final Plat, then the requirements of Section 702.6.7 shall no longer apply, and the additional 35’ setback may be eliminated from the plat.

B. STORMWATER STIPULATIONS

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 Mill Creek. Modeling shall be used to determine pre-and post-development flows.

2. 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. Drainage modeling shall utilize the pending Mill Creek Watershed Study (most recent version on file at the Public Works Department) to demonstrate, in post-development condition, that no adverse impacts are created to adjacent property based upon a “no-rise” flood stage condition.

3. There shall be a minimum ten (10) foot separation between accessory equipment and structures alongside adjoining houses with 5-foot side yard setbacks.
C. **ENVIRONMENTAL STIPULATIONS**

1. The applicant has voluntarily proffered a Preliminary Ecosystems Management Plan to offset impacts to wetlands and will voluntarily proffer a Final Ecosystems Management Plan at time of Final Site Plan.

2. Applicant shall provide a wetland mitigation plan prior to final site plan approval that demonstrates compliance with LDC Section 706.6. Mitigation for Altered Wetlands. Areas considered for mitigation of impacts will require standard monitoring and success criteria similar to the permitted areas on Phase VI and VII.

3. Landscape plantings shall be in compliance with LDC Sections 700 and 701 and will be reviewed on the Final Site Plan.

4. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas for wetland mitigation purposes shall be dedicated to the County prior to or concurrent with each Final Plat approval.

5. Consistent with the Environmental Considerations report dated March 2018, a 100% survey of suitable habitat for gopher tortoises should be conducted prior to construction activity. The Management Plan, and correspondence and permits, approved by the State (Florida Fish and Wildlife Conservation Commission) shall be submitted prior to the commencement of development for any listed species found on site. Evaluation of the proposed development site shall contain dates of field review, name and qualifications of individual(s) conducting the field review – including authorized Gopher Tortoise Agents, a statement of the methodology used to conduct the habitat assessment and biological survey, a map indicating where listed species (or nests or burrows) were observed on the site, a list of all species observed on site, and a habitat management plan describing measures proposed by the applicant to ensure non-disturbance, relocation or other acceptable mitigative measures.

6. If wells are encountered, 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.
D. UTILITY ENGINEERING STIPULATIONS

1. Connection to the County water and wastewater system is required pursuant to the Manatee County Comprehensive Plan. 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.

ATTACHMENTS

1. Applicable Comprehensive Plan Policies
2. Staff Report Maps
3. Preliminary Site Plan
4. Landscape Plan
5. TIS and Traffic Impact Statement Approval Letter
7. School Report
8. Applicant’s Special and Specific Approval Request Letters
9. Zoning Disclosure Affidavit
10. Newspaper Advertising
11. Ordinance PDR-18-08(Z)(P)
12. Public Comment
## APPLICABLE COMP PLAN POLICIES

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

- 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 Objectives 2.6.1—2.6.3).

**Policy: 2.2.1.1 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)

**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 CHHA Overlay Districts pursuant to Policies 2.3.1.5 and 4.3.1.5)

- **Maximum Floor Area Ratio:**
<table>
<thead>
<tr>
<th>Policy: 2.2.1.11.4 Other Information:</th>
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<tbody>
<tr>
<td>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.</td>
</tr>
<tr>
<td>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.</td>
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<tr>
<td>c) Any nonresidential project exceeding 30,000 square feet shall require special approval.</td>
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<tr>
<th>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:</th>
</tr>
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<tbody>
<tr>
<td>a) Located at the intersection of an arterial and a collector roadway as defined in the Chapter 5 of this plan.</td>
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<th>Policy 2.2.1.28. Mixed Use - Community (MU-C): Establish the Mixed Use - Community future land use category as follows:</th>
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<tr>
<th>Policy 2.2.1.28.1. Intent: To identify, textually in the Comprehensive Plan’s goals, objectives and policies or graphically on the Future Land Map, areas which are established as major centers of suburban/urban activity through the identification of potential Activity Centers. A graphic depiction of the potential Activity Center shall be adopted as a part of any FLUM amendment establishing a MU-C category and shall become a part of the Future Land Use Map Series. Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting. Subareas specifying the range of potential uses, range of potential density/intensity, and other information follow below.</th>
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| Development or redevelopment within the area designated under this category shall be required to achieve compliance with the Guiding Principles outlined in the TSD for the Future Land Use Element. |

| For properties illustrated with a potential Activity center, the requirements of Policy 2.2.1.28.5 (Mixed Use- Community/Residential) shall apply if an Activity Center is not planned. |

<table>
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<tr>
<th>Policy 2.2.1.28.5. Mixed Use—Community/Residential (MU-C/R): Establish the Residential subareas as follows:</th>
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</table>

| Range of Potential Uses: Suburban or urban density planned residential development with integrated residential support uses as part of such developments, neighborhood retail uses, short-term agriculture uses, interim farm worker housing, public or semi-public uses, schools, recreational uses, and appropriate water-dependent/water related/water-enhanced uses. |

<table>
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<th>Range of Potential Density/Intensity:</th>
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<tr>
<td>Maximum Gross Residential Density: Three (3) dwelling units per acre.</td>
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</table>
Maximum Net Residential Density: Nine (9) dwelling units per acre.
Maximum Floor Area Ratio: 0.23.
Maximum Square Footage for Neighborhood Retail Uses: Medium (one hundred fifty thousand (150,000) s.f. as permitted in the Manatee County Comprehensive Plan Policy 2.10.4.2. for DRI's and Large Projects).

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 one (1) dwelling unit per acre, or in which any net residential density exceeds three (3) dwelling units per acre, shall require special approval.
(c) Any nonresidential project exceeding thirty thousand (30,000) square feet shall require special approval.
(d) The Special Approval requirements listed above (a through c) shall not apply to development along the designated Urban Corridors or within the UIRA.

**Residential unit types may be exchanged provided there is no increase in external vehicle trips.

Objective: 2.3.3  **Floodplain Management:** Direct development away from areas subject to flooding to reduce risks to life and property and to minimize costs to Country residents for replacing damaged infrastructure.

Policy 2.3.3.1  Prohibit any new development (except redevelopment) within the floodway of any perennial stream, except for water-dependent uses and except for projects which generally would not result in an increase in flood levels in the community during the occurrence of the base (100 years) flood discharge. [See policy 2.3.1.2]

Implementation Mechanism:

a) Planning and Building Departments coordination during review of development requests for compliance with this policy and the Floodplain Management Section of the Manatee County Land Development Code.

Policy: 2.3.3.2  Require that all fill within the 100-year floodplain shall be compensated by creation of storage of an equal or greater volume, with such compensatory storage also located within the 100-year floodplain. Areas within the 100-year floodplain adjacent to a tidally-influenced water body shall not be subject to this level of service performance standard.

Policy: 2.3.3.3  Require that all proposed residential buildings within the 100-year floodplain are constructed...
so that finished floor elevations are above the elevation of the 100-year flood.

Require that all proposed non-residential buildings or non-residential components of mixed use buildings within the 100-year floodplain are constructed to meet the finished floor elevation, or meet and/or exceed the performance standards established by the Federal Emergency Management Agency.

Policy: 2.3.3.4 Prohibit habitable structures and major public and private investment within the 25-year floodplain 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.

Policy: 2.3.3.5 Limit density or intensity in a manner which will protect all groundwater resources from unacceptable contamination by septic tanks. (See also Objective 9.2.4 and associated policies).

Implementation Mechanism:

a) Review of proposed impacts by the Utilities, Natural Resources, and Planning Departments and the Florida HRS and conditioning of development orders as appropriate.

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]
Implementation Mechanism(s):
  a) Maintain setback, screening, buffering, and other appropriate mitigation techniques in land development regulations.
  b) Planning Department review of development approvals to ensure policy compliance.

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.

Implementation Mechanism:
  a) Land development regulations consistent with this policy.

Policy: 2.6.1.3  
Require appropriate limits on net residential density to achieve compatibility between adjacent residential land uses. Limits on net density may reduce net density on a project, or part thereof, into less than the maximum net density associated with the future land use category or categories on the project site (see also policy 2.6.1.1.).

Goal: 2.9  
**Residential Communities Which Contribute to a High Quality of Life**

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 vehicular systems,
- Usable open spaces, and public access to water features,
- Unifying design elements and features,
- Variety of housing stock,
- Pedestrian oriented structures, and pedestrian friendly design,
- Connection to recreational facilities, schools, adjacent neighborhoods, employment opportunities and commercial uses.