

**LDCT-17-01/ORDINANCE 17-30 – TOIT LAND DEVELOPMENT CODE TEXT AMENDMENT**  
**(DTS20170018 / MEPS643**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE: SECTION 200 DEFINITIONS, TO AMEND THE DEFINITIONS OF BOARDING HOUSE, BOAT LIVERY, DWELLING, GROUP HOUSING, HOTEL, AND RESIDENTIAL DEVELOPMENT, AND TO ADD A NEW DEFINITION FOR BOATEL; AMENDING SECTION 401.2, SCHEDULE OF USES IN AGRICULTURE AND RESIDENTIAL DISTRICTS (TABLE 4-1), SCHEDULE OF USES IN NON-RESIDENTIAL DISTRICTS (TABLE 4-2), TO ADD BOATEL AS A NEW USE UNDER THE CATEGORY OF LODGING PLACES, AND PROHIBITING THE USE IN ALL STANDARD ZONING DISTRICTS; AMENDING SECTION 402.5, SCHEDULE OF USES FOR PD DISTRICTS (TABLE 4-7) TO ADD BOATEL AS A NEW USE UNDER THE CATEGORY OF LODGING PLACES, PERMITTING THE USE IN THE PDMU (PLANNED DEVELOPMENT MIXED USE) AND PDW (PLANNED DEVELOPMENT WATERFRONT) ZONING DISTRICTS, AND PROHIBITING THE USE IN ALL OTHER PLANNED DEVELOPMENT ZONING DISTRICTS; AMENDING SECTION 531.28, STANDARDS FOR SPECIFIC USES, LODGING PLACES, TO ADD SUBSECTION 531.28.C TO ESTABLISH SPECIFIC USE STANDARDS FOR BOATEL USES; AMENDING CHAPTER 10, TRANSPORTATION MANAGEMENT, TO ESTABLISH STRUCTURE NUMBERING ASSIGNMENT PROCEDURES FOR BOATELS, TO ESTABLISH A PARKING RATIO FOR BOATELS; AND ADDING THE USE OF A “BOATEL” TO THE LOADING SPACE USES; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Community Planning Act (the “Act”) is codified in the applicable portions of Chapter 163, Part II, Florida Statutes (2016) as amended, empowers and requires the County (a) to plan for the County’s future development and growth, and (b) to adopt and amend comprehensive plans or elements or portions thereof, to guide the future growth and development of the County; and,

**WHEREAS**, Application LDCT-17-01 is privately initiated amendments to the Land Development Code.

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

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act codified in Part II of Chapter 163, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

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

1. The Board has adopted the Manatee County Land Development Code (hereinafter the “Code”) which applies to all property in the unincorporated area Manatee County.
2. The Board approved Ordinance 15-17 on June 9, 2016 providing for an Amended and Restated Land Development Code (LDC). The Amended and Restated Code was a major “housecleaning,” primarily to reorganize and provide clarification to the language and regulations in the LDC.
3. This is a Privately Initiated Land Development Code amendment. Staff recommends revisions to Sections 200 Definitions, 401.2 Schedule of Uses in Agriculture and Residential Districts (Table 4-1), Schedule of Uses in Non-Residential Districts (Table 4-2), 402.5 Schedule of Uses for PD Districts (Table 4-7) 531.28 Standards for Specific Uses and Chapter 10 Transportation Management.
4. The Manatee County Planning Commission has reviewed the amendments set forth in this Ordinance as a privately-initiated application to amend the Code and has found the LDC amendments to be consistent with the Manatee County Comprehensive Plan and recommended their adoption to the Board on May 11, 2017.

Section 3. Amendment of Chapter 2 of the Land Development Code. Chapter 2, Definitions, is hereby amended in Section 200, Definitions, to amend the Definitions of Boarding House, Boat Livery, Dwelling, Group Housing, Hotel, and Residential Development, and to add a new Definition for Boatel as set forth in Exhibit “A” to this Ordinance.

Section 4. Amendment of Chapter 4 of the Land Development Code. Chapter 4, Zoning, is hereby amended in Section 401.2, Schedule of Uses in Agriculture and Residential Districts (Table 4-1), Schedule of Uses in Non-Residential Districts (Table 4-2), to add Boatel as a new use under the Category of Lodging Places, and prohibiting the use in all Standard Zoning Districts, Amend Section 402.5, Schedule of Uses for PD Districts (Table 4-7) to add Boatel as a new use under the Category of Lodging Places, permitting the Use in the PDMU (Planned Development Mixed Use) and PDW (Planned Development Waterfront) Zoning Districts, and prohibiting the use in all other Planned Development Zoning Districts as set forth in Exhibit “B” to this Ordinance.

Section 5. Amendment of Chapter 5 of the Land Development Code. Chapter 5, Standards for Accessory and Specific Uses and Structures, is hereby amended in Section 531.28, Standards for Specific Uses, Lodging Places, to add Subsection 531.28.C to establish Specific Use Standards for Boatel Uses as set forth in Exhibit “C” to this Ordinance.

Section 6. Amendment to Chapter 10 of the Land Development Code. Chapter 10, Transportation Management is hereby amended to establish structure numbering assignment procedures for Boatels, to establish a Parking Ratio for Boatels, and adding the use of a “Boatel” to the loading space use as set forth in Exhibit “D” to this Ordinance.

Section 7. Codification. The publisher of the County’s Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Chapters 2, 4, 5 and 10 of this Ordinance into the Land Development Code.

Section 8. Applicability. The amendments set forth in this Ordinance shall apply to all applications, decisions or controversies pending before the County upon the effective date hereof or filed or initiated thereafter.

Section 9. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this Ordinance.

Section 10. Effective Date. This Ordinance shall become effective as provided by law.

**DULY ADOPTED**, with a quorum present and voting, this 3<sup>rd</sup> day of August, 2017.

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

By: \_\_\_\_\_  
**Betsy Benac, Chairman**

**ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

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