

**MANATEE COUNTY ORDINANCE  
PDC-18-07(P) – WENDY’S STORE #11897 PLN1803-0053**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING A PRELIMINARY SITE PLAN FOR A ± 2,426 SQUARE FOOT RESTAURANT WITH DRIVE-THRU; THE ±1.10 ACRES SITE IS ZONED PDC (PLANNED DEVELOPMENT COMMERCIAL), WITHIN THE R/O/R (RETAIL/OFFICE/RESIDENTIAL) FUTURE LAND USE CATEGORY, AND LOCATED ON THE NORTH SIDE OF SR 70, APPROXIMATELY 900 FEET WEST OF 45<sup>TH</sup> STREET EAST AT 4201 53<sup>RD</sup> AVENUE EAST, 4203 53<sup>RD</sup> AVENUE EAST AND 5221 42<sup>ND</sup> STREET COURT EAST, BRADENTON (MANATEE COUNTY); APPROVING A SCHEDULE OF USES, AS VOLUNTARILY PROFFERED BY THE APPLICANT AND ATTACHED AS EXHIBIT “B”; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Craig Frieler & Athena Frieler (the “Applicants”) filed an application for a Preliminary Site Plan for a ± 2,426 square foot restaurant with drive-thru on ±1.10 acres site as described in Exhibit “A”, attached hereto, (the “Property”) and

**WHEREAS**, the applicant also filed a request for Specific Approval for an alternative to Land Development Code Section 531.16.B (allow enhanced planting area in lieu of required fence for drive-through facility adjacent to residential); and

**WHEREAS**, the applicant voluntarily proffered a Schedule of Uses (permitted and prohibited) attached hereto Exhibit “B”; and

**WHEREAS**, the Building and Development Services Department staff recommended approval of the Preliminary Site Plan and Specific Approval applications subject to the stipulations contained in the staff report; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on October 11, 2018 to consider the Preliminary Site Plan and Specific Approval applications, received the staff recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

**WHEREAS**, the Manatee County Planning Commission, as the County’s Local Planning Agency, found the Preliminary Site Plan and Specific Approval applications consistent with the Manatee County Comprehensive Plan, and the Manatee County Land Development Code, recommended approval subject to the stipulations contained in the staff report.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:**

**Section 1. FINDINGS OF FACT.** The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners, after considering the testimony, evidence, documentation, the recommendation and findings of the Planning Commission, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

- A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for a Preliminary Site Plan and Specific Approval as it relates to the real property described in Exhibit "A" of this Ordinance.
- B. The Board of County Commissioners held a duly noticed public hearing on November 1, 2018 regarding the proposed Ordinance described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at the public hearing.
- C. The proposed Ordinance regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan.
- D. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 531.16.B, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the proposed landscaping will meet or exceed the landscape screening requirements. The improved plantings on the western property line in lieu of the required fence will also enhance the visual aesthetics of the project.

**Section 2. PRELIMINARY SITE PLAN.** The Preliminary Site Plan is hereby approved for a ±2,426 square foot restaurant with drive-thru, subject to the following Stipulations:

## **STIPULATIONS**

### **A. DESIGN AND LAND USE STIPULATIONS**

1. The uses approved for this project shall be limited to those voluntarily proffered by the applicant in the Schedule of Uses attached to the Zoning Ordinance PDC-18-07(P) as Exhibit "B".
2. All roof mounted HVAC equipment shall be screened from view from SR 70, and adjacent properties at ground level. Screening shall consist of similar colors and materials consistent with the construction of the exterior finish of the buildings. Details of screening shall be submitted with Final Site Plan.
3. The dumpster shall be screened from view from internal driveways, and adjacent properties. Screening shall consist of building materials matching the building on site, or opaque fence. Details of screening shall be submitted with Final Site Plan.
4. All requirements of LDC Section 531.16 (Drive-Through Facilities) shall be complied with at time of Final Site Plan.

5. Any significant historical or archaeological resource discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offences Concerning Dead Bodies and Graves) shall be followed.
6. All other applicable state or federal permits shall be obtained before commencement of the development.

**B. UTILITY ENGINEERING STIPULATIONS**

1. Connection to the County potable 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. Such off-site extension shall be designed and constructed in accordance with the appropriate County Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by the County Engineer through the construction plans review process for the project.

**C. STORMWATER ENGINEERING 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 Pearce Drain Watershed. 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 Pearce Drain 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.

**D. ENVIRONMENTAL STIPULATIONS**

1. The developer shall provide an updated study, consistent with Policy 3.3.2.1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. The Management Plan approved by the State shall be submitted prior to the commencement of development for any listed species found on site.
2. 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.
3. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.
  4. A Water Well Construction Permit must be obtained prior to the construction of any proposed well(s).

**Section 3. SPECIFIC APPROVAL.** Specific Approval is hereby granted for an alternative to Land Development Code Section 531.16.B (Allow enhanced planting area in lieu of required fence for drive-through facility adjacent to residential). Specific Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof.

**Section 4. 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 section, sentence, clause, or other provision shall be deemed severable, and 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 5. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

**Section 6. STATE AND FEDERAL PERMITTING.** The issuance of this local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 7. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

**PASSED AND DULY ADOPTED**, by the Board of County Commissioners of Manatee County, Florida on the 1<sup>st</sup> day of November, 2018.

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

**BY: \_\_\_\_\_  
Priscilla Trace, Chairman**

**ATTEST: ANGELINA COLONNESO  
Clerk of the Circuit Court**

**BY: \_\_\_\_\_  
Deputy Clerk**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

PART OF SECTION 16, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE, ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, S00°15'21"W, A DISTANCE OF 315.08 FEET TO THE CENTERLINE OF SURVEY OF ONECO-ARCADIA ROAD (STATE ROAD 70) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 13160-2512; THENCE, ALONG SAID CENTERLINE OF SURVEY, 163.25 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,432.40 FEET AND A CENTRAL ANGLE OF 06°31'47" (CHORD BEARING S78°27'04"E, A DISTANCE OF 163.16 FEET); THENCE N00°15'21"E, A DISTANCE OF 50.51 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID ONECO-ARCADIA ROAD (STATE ROAD 70) AND THE POINT OF BEGINNING; THENCE N00°15'24"E, A DISTANCE OF 129.63 FEET; THENCE N00°15'04"E, A DISTANCE OF 22.66 FEET; THENCE N00°03'47"W, A DISTANCE OF 90.09 FEET; THENCE N89°55'29"E, A DISTANCE OF 190.00 FEET; THENCE S00°00'00"E, A DISTANCE OF 108.20 FEET; THENCE S84°37'37"E, A DISTANCE OF 4.56 FEET; THENCE S03°35'53"W, A DISTANCE OF 149.80 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF ONECO-ARCADIA ROAD (STATE ROAD 70); THENCE 186.51 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,382.40 FEET AND A CENTRAL ANGLE OF 07°43'49" (CHORD BEARING N85°13'47"W, A DISTANCE OF 186.37 FEET) TO THE POINT OF BEGINNING,  
CONTAINING 47,991 SQUARE FEET, 1.102 ACRES, MORE OR LESS.

**Exhibit “B”**

**Schedule of Uses – Wendy’s Store #11897 – PDC-18-07(P)<sup>1</sup>**

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
Adult Day Care Center	--	P	P	P	X	X	X	P	P	X	P	X	AP	X
Agricultural Research Facilities	--	X	X	P	P	X	P	X	P	X	X	X	P	P
Agricultural Uses	531.1	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	X	P	P
Agricultural Products Processing Plants	531.1	X	X	X	X	P	X	X	P	X	X	X	P	P
Animal Products Processing Facility	531.1	X	X	X	X	SP	X	X	SP	X	X	X	P	P
Short Term Agricultural Uses	531.1	P	X	P	X	X	X	X	P	X	X	X	P	P
Stables or Equestrian Centers: Private	531.1	P	X	X	X	X	X	X	P	P	P	X	P	X
Stables or Equestrian Centers: Public	531.1	X	X	P	X	X	P	X	P	X	X	X	P	X
Tree Farm	531.1	X	X	X	X	X	P	X	P	X	X	X	P	X
Aircraft Landing Field	531.2	X	X	X	X	X	P	X	P	X	X	X	X	X
Airport, Commercial	531.3	X	X	X	X	X	P	X	P	X	X	X	X	X
Airport, Private or Public	531.3	X	X	X	X	P	P	X	P	X	X	X	X	P
Alcoholic Beverage Establishment	531.4	X	X	SP	X	SP	X	SP	SP	X	X	X	X	X
Alcoholic Beverage Establishment- 2 COP License	531.4	X	X	AP	X	X	X	X	AP	X	X	X	X	X
Animal Services (Wild and Exotic)	531.5	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP
Assisted Living Facility, Large	531.44	P	P	P	X	X	P	X	P	X	X	X	P	X
Assisted Living Facility, Small	531.44	AP	AP	AP	X	X	AP	X	AP	X	X	X	AP	X
Auction Houses, Enclosed	--	X	X	P	X	P	X	X	P	X	X	X	X	X
Auction Houses, Open	531.6	X	X	P	X	P	X	X	P	X	X	X	X	X
Bed and Breakfast	531.7	P	X	P	X	X	X	P	P	X	X	X	P	X
Breeding Facility (Non-Wild & Exotic)	531.8	X	X	P	P	P	P	X	P	X	X	X	P	X
Building Materials Sales Establishment	531.9	X	X	P	X	X	X	X	P	X	X	X	X	X
Lumberyard	531.9	X	X	X	X	P	X	X	P	X	X	X	X	P
Bus and Train Passenger Station	--	P	X	P	P	P	P	X	P	X	X	X	P	P
Business Services	--	X	P	P	P	P	P	X	P	X	X	X	X	X
Printing, Medium	--	X	X	P	X	P	X	X	P	X	X	X	X	
Printing, Small	--	X	P	P	X	P	X	X	P	X	X	X	X	X

<sup>1</sup>The “blue strike-through” uses are Applicant self-imposed prohibitions.

**Exhibit “B”**

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
Car Wash: Full Service	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X
Car Wash: Incidental	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X
Car Wash: Self-Service	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X
<del>Cemetery: Human and Pet</del>	<del>531.11</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Child Care Center, Large	531.12	P	P	P	P	P	P	X	P	X	X	X	P	X
Child Care Center, Medium	531.12	P	P	P	P	P	P	X	P	X	X	X	P	X
Child Care Center, Small	531.12	AP	AP	AP	X	AP	AP	X	AP	AP	AP	X	P	X
Child Care Center, (Accessory)	531.12	P	P	P	P	P	P	P	P	P	P	X	P	P
Churches /Places of Worship	531.13	P	P	P	X	X	X	X	P	X	X	X	P	X
<del>Civic, Social, and Fraternal Organizations/Clubs</del>	<del>531.14</del>	<del>P/SP</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>
Clinics	--	X	P	P	X	X	P	X	P	X	X	X	X	X
<del>Community Residential Homes</del>	<del>531.44</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>
<del>Correctional Facilities: Community</del>	<del>--</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<del>Correctional Facilities: Major</del>	<del>--</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Cultural Facilities	531.15	P	P	P	P	P	P	P	P	X	X	X	P	P
Drive- Through Establishments	531.16	X	X	P	P	P	X	X	P	X	X	X	X	P
<del>Earthmoving, Major</del>	<del>702</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>
<del>Earthmoving, Minor</del>	<del>702</del>	<del>AP</del>	<del>AP</del>	<del>AP</del>	<del>AP</del>	<del>AP</del>	<del>AP</del>	<del>AP</del>	<del>AP</del>	<del>AP</del>	<del>AP</del>	<del>X</del>	<del>AP</del>	<del>P</del>
<del>Emergency Shelters</del>	<del>531.44</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>AP</del>	<del>X</del>
<del>Emergency Shelter Home</del>	<del>531.44</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>AP</del>	<del>X</del>
<del>Environmental Land Preserves, Public and Private</del>	<del>531.17</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>
Equipment sales, rental and leasing, heavy	531.18	X	X	P	X	P	X	X	P	X	X	X	X	P
Construction equipment	531.18	X	X	P	X	P	P	X	P	X	X	X	X	X
Equipment Sales, rental and leasing, light	--	X	X	P	X	P	X	X	P	X	X	X	X	
<del>Environmental Education Facilities</del>	<del>--</del>	<del>AP</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>AP</del>	<del>X</del>	<del>AP</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>AP</del>	<del>X</del>
<del>Family Day Care Home</del>	<del>--</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>
<del>Farming Service Establishments</del>	<del>531.18</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>P</del>

<sup>1</sup>The “blue strike-through” uses are Applicant self-imposed prohibitions.

**Exhibit “B”**

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
Farm Worker Housing	531.19	X	X	X	X	X	X	X	X	X	X	X	X	X
Flea Markets- Enclosed	531.20	X	X	P	X	X	X	X	P	X	X	X	X	X
Flea Markets- Open	531.20	X	X	P	X	X	X	X	P	X	X	X	X	X
Food Catering Service Establishment	531.21	X	X	P	X	P	X	X	P	X	X	X	X	X
Funeral Chapel	531.22	P	P	P	X	X	X	X	P	X	X	X	P	X
Funeral Home	531.22	X	P	P	X	X	X	X	P	X	X	X	X	X
Game Preserve	--	X	X	P	X	X	P	X	P	X	X	X	X	X
Gas Pumps	531.50	X	X	P	P	P	P	P	P	P	X	X		P
Group Housing	531.23	X	X	X	X	X	P	X	P	X	X	X	X	X
Hazardous Waste Transfer Facility	--	X	X	X	X	P	P	X	P	X	X	X	X	X
Heliprot	--	X	X	P	X	P	P	X	P	X	X	X	X	P
Helistop	531.24	P	P	P	P	P	P	AP	P	X	X	X	P	P
Hospital	--	X	X	X	X	X	P	X	P	X	X	X	X	X
Industrial, Heavy	--	X	X	X	X	P	X	X	P	X	X	X	X	P
Firework/Sparkler Manufacture	531.25	X	X	X	X	P	X	X	X	X	X	X	X	X
Industrial, Light	--	X	X	X	P	P	P	X	P	X	X	X	X	P
Intensive Services:														
Intensive Services: Exterminating and Pest Control	531.26	X	X	X	X	X	X	X	SP	SP	X	AP	X	P
Intensive Services: Motor Pool Facilities	531.26	X	X	X	X	P	P	X	P	X	X	X	X	P
Intensive Services: Printing, Heavy	--	X	X	X	X	P	X	X	X	X	X	X	X	
Intensive Services: Industrial Service Establishment	531.26	X	X	P	P	P	X	X	P	X	X	X	X	P
Intensive Services: Sign Painting Service	531.26	X	X	P	X	P	P	X	P	X	X	X	X	X
Intensive Services: Taxi- Cab, Limousine Service	531.26	X	X	P	X	P	X	X	P	X	X	X	X	X
Intensive Services: Towing Service and Storage Establishment	531.26	X	X	P	X	P	X	X	P	X	X	X	X	P
Intermodal Terminal	--	X	X	X	X	P	P	X	P	X	X	X	X	P
Junkyards	531.27	X	X	X	X	X	X	X	P	X	X	X	X	X

<sup>1</sup>The “blue strike-through” uses are Applicant self-imposed prohibitions.

**Exhibit “B”**

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ	
Laboratories, Medical and Dental	--	X	P	P	P	P	P	X	P	X	X	X	X	X	
Lodging Places: Boarding House	531.28	P	X	X	X	X	X	X	P	X	X	X	X	X	
Lodging Places: Dormitories	531.28	P	X	X	X	X	P	X	P	X	X	X	X	X	
Lodging Places: Hospital Guest House	531.28	X	X	P	X	X	P	X	P	X	X	X	X	X	
Lodging Places: Hotel/motel	531.28	X	X	P	P	P <sup>1</sup>	P	P	P	X	X	X	X	P	
Mining	531.30	X	X	X	X	X	P	X	X	X	X	X	X	X	
Mini Warehouses, Self-storage	531.31	X	X	P	X	P	X	X	P	X	X	X	X	X	
Mobile Homes, Individual	531.32	X	X	X	X	X	X	X	X	X	P	X	X	X	
Mobile Home Parks	--	X	X	X	X	X	X	X	P	X	P	X	X	X	
Mobile Home Subdivisions	--	X	X	X	X	X	X	X	P	X	P	X	X	X	
Motor Freight Terminal/Maintenance	531.34	X	X	X	X	P	X	X	P	X	X	X	X	P	
Bus RR/Maintenance Facility	531.34	X	X	X	X	P	P	X	P	X	X	X	X	X	
Nursing Homes	531.35	X	P	P	X	X	P	X	P	X	X	X	X	X	
Office, Medical or Professional	--	X	P	P	P	P	P	P	P	P	X	X	X	X	
Miscellaneous Services: Office	--	X	P	P	P	P	P	P	P	X	X	X	P	X	
Banking: Bank	--	X	P	P	P	P	X	X	P	X	X	X	X	X	
Banking: Bank/Drive-through	--	X	P	P	P	P	X	X	P	X	X	X	X	P	
Outdoor Advertising Signs	--	X	X	P	X	P	X	X	X	P	X	X	X	P	
Outdoor Storage (Principal Use)	531.36	X	X	P	X	P	X	X	X	X	X	X	X	P	
Parking, Commercial (Principal Use)	--	X	P	P	P	P	P	P	P	X	X	X	X	X	
Personal Service Establishment	--	P	P	P	P	P	P	X	P	P	P	X	P	X	
Dry Cleaners: General	--	X	X	P	X	P	P	X	P	X	X	X	X	X	
Dry Cleaners: Neighborhood	--	X	P	P	P	P	P	X	P	X	X	X	X	X	
Dry Cleaners: Pick-up	--	X	P	P	P	P	P	X	P	X	X	X	P	P	
Rental Service Establishment	--	X	X	P	P	P	X	X	P	X	X	X	X		
Repair Service Establishment	--	X	X	P	P	X	P	X	P	X	X	X	X	X	
Personal Wireless Service Facilities	531.37	See Section 531.34													

<sup>1</sup> Hotels are allowed only where the underlying Future Land Use category is Industrial-Light (IL).

<sup>1</sup>The “blue strike-through” uses are Applicant self-imposed prohibitions.

**Exhibit “B”**

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
Pet Service (Kennel) Establishments	531.38	X	X	P	P	X	X	X	P	X	X	X	P	X
Public Community Uses	531.39	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	X	AP/SP	P
Public Use Facilities	531.40	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	X	AP	P
Post Offices	—	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	X	AP	P
Radio, TV, Communications, Microwave Facilities	—	X	X	P	P	P	P	X	P	X	X	X	X	P
Railroad Switching/Classification Yard	—	X	X	X	X	P	P	X	X	X	X	X	X	P
Recreation, High Intensity	531.41	X	X	P	X	X	P	P	P	X	X	X	X	X
Recreation, Low Intensity	531.41	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	X
Recreation, Medium Intensity	531.41	X	X	P	X	X	P	P	P	X	X	X	X	X
Recreation, Passive	531.41	P	P	P	P	P	P	P	P	P	P	AP		P
Recreation, Rural	531.41	X	X	X	X	P	P	X	X	X	X	X	X	X
Recreational Vehicle Parks and subdivisions	531.42	X	X	P	X	X	X	X	X	P	X	X	X	X
Recreational Vehicle/Mobile Home Sales, Rental & Leasing	531.43	X	X	P	X	X	X	X	P	X	X	X		X
Rehabilitation Center	531.44	P	P	P	P	P	P	P	P	P	P	X	P	X
Research and Development Activities	—	X	X	X	P	P	P	X	P	X	X	X	X	P
Recovery Home, Large	531.45	X	P	P	X	X	P	X	P	X	X	X	X	X
Recovery Home, Small	531.45	P	P	P	X	X	P	X	P	P	P	X	P	X
Residential Treatment Facilities	531.46	P	X	X	X	X	P	X	P	X	X	X	P	X
Residential Use: Duplexes	531.47	P	X	X	X	X	P	X	P	X	X	X	X	X
Residential Use: Single Family Semi-Detached Dwellings	531.47	P	X	X	X	X	P	X	P	X	X	X	X	X
Residential Use: Multiple Family Dwellings	531.47	P	X	X	X	X	P	P	P	X	X	X	X	X
Residential Use: Triplex and Quadruplex Dwellings (Multifamily, four (4) units maximum)	531.47	P	X	X	X	X	X	P	P	X	X	X	X	X
Residential Use: Waterfront Structures, Multi-Family	531.47	P	X	X	X	X	X	P	P	X	X	X	P	X
Residential Use: Waterfront Structures (Residential)	531.47	AP	X	X	X	X	X	AP	AP	AP	AP	X	AP	X

<sup>1</sup>The “blue strike-through” uses are Applicant self-imposed prohibitions.

**Exhibit “B”**

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
<del>Residential Use: Single Family, Attached Dwellings (3 to 9 units)</del>	<del>531.47</del>	P	X	<del>X</del>	X	X	P	P	P	X	X	X	X	X
<del>Residential Use: Single Family, Detached Dwellings</del>	<del>531.47</del>	P	X	<del>X</del>	X	X	P	P	P	X	X	X	P	X
Restaurant	531.48	X	P	P	P	P	X	P	P	X	X	X	X	P
Retail Sales, Neighborhood Convenience	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
Retail Sales, Neighborhood General	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
Retail Sales, General	531.49	X	X	P	P	P	X	P	P	P	P	X		X
<del>Sawmills</del>	<del>531.1</del>	X	X	<del>X</del>	X	P	X	X	P	X	X	X	X	P
<del>Schools, College/Universities</del>	<del>531.50</del>	X	X	<del>X</del>	X	X	P	X	P	X	X	X	X	X
<del>Schools, Elementary</del>	<del>531.50</del>	P	P	<del>X</del>	P	X	P	X	P	X	X	X	P	X
<del>Schools, High and Middle</del>	<del>531.50</del>	P	P	<del>X</del>	P	X	P	X	P	X	X	X	P	X
<del>Schools of Special Education</del>	<del>531.50</del>	P	P	<del>P</del>	P	X	P	X	P	X	X	X	P	X
Service Station	531.51	X	X	P	X	P	X	X	P	X	X	X		P
<del>Sexually Oriented Businesses</del>	<del>531.52</del>	<del>See Section 531.49</del>												
<del>Slaughterhouses</del>	<del>531.1</del>	X	X	<del>X</del>	X	SP	X	X	P	X	X	X	X	X
<del>Solid Waste Management Facilities</del>	<del>531.53</del>	X	X	<del>P</del>	X	P	P	X	P	X	X	X	X	X
<del>Landfills</del>	<del>531.53</del>	X	X	<del>X</del>	X	X	P	X	X	X	X	X	X	X
<del>Stockyards and Feedlots</del>	<del>531.1</del>	X	X	<del>X</del>	X	P	P	X	P	X	X	X	X	X
<del>Utility Use</del>	<del>531.54</del>	SP	AP	<del>AP</del>	AP	AP	AP	AP	AP	AP	AP	AP/S P	AP	P
Vehicle Repair: Major	531.55	X	X	P	X	P	X	X	P	X	X	X	X	P
Vehicle Repair: Community Serving	--	X	X	P	X	P	X	X	P	X	X	X	X	X
Vehicle Repair: Neighborhood Serving	--	X	X	P	X	P	X	X	P	X	X	X	X	X
Vehicle Sales, Rental, Leasing	531.56	X	X	P	X	P	X	X	P	X	X	X		X
Veterinary Clinic	531.57	X	P	P	P	X	X	X	P	X	X	X	P	X
Veterinary Hospitals	531.57	X	X	P	X	P	P	X	P	X	X	X	X	X
<del>Warehouses</del>	<del>531.58</del>	X	X	<del>X</del>	P	P	P	X	P	X	X	X	P	X
<del>Water Dependent Uses</del>		X	X	<del>X</del>	X	X	X	P	P	X	X	X	X	X

<sup>1</sup>The “blue strike-through” uses are Applicant self-imposed prohibitions.

**Exhibit “B”**

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
Wholesale Trade Establishment		X	X	P	P	P	X	X	P	X	X	X	X	X

AP = Administrative Permit; SP = Special Permit, P = Permitted,

X = Not Permitted

AP/SP = Administrative Permit required as specified in Chapter 3 or elsewhere in this Code.

**NOTES:**

- Uses identified as "Permitted Uses" in all Planned Development Districts may be permitted with approval of a General Development Plan. PD zoning in itself does not constitute approval to develop.
- Uses may be further restricted or modified by the overlay district regulations.
- Notwithstanding the development review procedures set forth in this table or any other provision of this Code, the development review procedures required pursuant to Chapter 3 shall control when the project requires Special Approval pursuant to any provision of the Comprehensive Plan.

<sup>1</sup>The “blue strike-through” uses are Applicant self-imposed prohibitions.