

**P.C.:** 12/14/2017

**Z-17-03 – Price Property Rezone**  
**(DTS #20170126)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to zoning in the unincorporated area; providing for the rezoning of approximately 1.01 acres of an approximately 8.32 acre site on the west side of Jim Davis Road approximately 0.40 miles south of County Road 675, Parrish (Manatee County) from the A/NCO (General Agriculture – 1 dwelling unit per 5 acres/North Central Overlay District) to the A-1/NCO (Suburban Agriculture – 1 dwelling units per acre), retaining the North Central Overlay zoning district; setting forth findings proving a legal description; providing for severability, and providing an effective date.

**P.C.:** 12/14/2017

**B.O.C.C.:** 01/11/2018

**RECOMMENDED MOTION:**

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, I move to recommend **ADOPTION** of Manatee County Zoning Ordinance No. Z-17-03, as recommended by staff.

<b>PROJECT SUMMARY</b>	
<b>CASE NUMBER</b>	Z-17-03 (DTS # 20170126)
<b>PROJECT NAME</b>	Price Property Rezone
<b>LAND OWNER</b>	Patricia Mary Price
<b>APPLICANT(S)</b>	Leo Mills; Patricia Mary Price
<b>PROPOSED ZONING</b>	A-1 (Suburban Agriculture – 1 dwelling unit per acre)
<b>EXISTING ZONING</b>	A (General Agriculture – 1 dwelling unit per 5 acres)
<b>CASE MANAGER</b>	Tia Boyd, Planner I
<b>STAFF RECOMMENDATION</b>	APPROVAL

**DETAILED DISCUSSION**

**Request:**

The request is for a rezone of 1.01±acres of an 8.32±acre site from A to A-1. The site is on the west side of Jim Davis Road approximately 0.40 miles south of County Road 675 (Parrish).

The site is in the UF-3 (Urban Fringe – 3 dwelling units per acre) Future Land Use Category (FLUC) and the intent is to identify 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. Policy 2.2.1.11.2 of the Manatee County Comprehensive Plan lists the range of potential uses for a property within the UF-3 Future Land Use Category as 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 semipublic uses, schools, low intensity recreational uses, and appropriate water-dependent/water related/water-enhanced uses. The UF-3 FLUC allows a maximum gross residential density of 3 dwelling units per acre, a maximum net residential density of 9 dwelling units per acre and a maximum Floor Area Ratio of 0.23.

The current A zoning district is intended to preserve agricultural lands, promote general agricultural economic activity, and allow for the co-existence of other uses generally consistent with agricultural activities. In addition, it is intended that agricultural areas be protected from the encroachment of incompatible uses and that development be guided within the district. Table 4-1 of the Manatee County Land Development Code (LDC) establishes the schedule of uses for the A zoning district which predominantly includes residential and residential support uses.

The maximum residential density permitted in the current A zoning district is 0.2 dwelling units per acre while the proposed A-1 zoning district permits a density of 1 dwelling unit per acre. Subsequent to the rezone of 1.01±acres of the 8.3±acre site from A to A-1, 7.2±acres of the property would remain in the A zoning district. The existing single family dwelling unit would be in compliance with the maximum residential density of 0.2 dwelling units per acre with a density of 0.14.

The proposed A-1 zoning district is intended to include short-term agricultural and related uses and to provide for areas transitioning from rural to suburban or urban character. The A-1 zoning district, according to LDC Table 4-1, permits residential and residential support uses which are included in the range of potential use listed in the UF-3.

The parcels adjacent to this site are currently zoned A, and A-1 and are used for residential and agricultural purposes, specifically residential single family units and grazing.

The site is in the North Central Overlay District and the purpose is to promote development within the North Central Overlay District which will be harmonious with the existing community and in accord with the vision of the community for its future.

The applicant has indicated that a single family residence is proposed for the site.

Staff's review of the current zoning and proposed zoning district in relation to surrounding zoning district and uses identifies compatibility with adjacent zoning districts.

Staff recommends APPROVAL.

**SITE CHARACTERISTICS AND SURROUNDING AREA**

<b>ADDRESS</b>	6155 Jim Davis Road	
<b>GENERAL LOCATION</b>	The site is located on the west side of Jim Davis Road approximately 0.40 miles south of County Road 675 o (Parrish).	
<b>ACREAGE</b>	Overall = 8.32 ±acres	Rezone = 1.01 ±acres
<b>EXISTING USE(S)</b>	Overall = Single Family Residential	Rezone = Vacant
<b>FUTURE LAND USE CATEGORY(S)</b>	UF-3 (Urban Fringe - 3 dwelling units per acre)	
<b>DENSITY FOR A-1</b>	1 dwelling unit per acre	
<b>OVERLAY DISTRICT(S)</b>	North Central Overlay	
<b>SPECIAL APPROVAL(S)</b>	N/A	
<b>SPECIFIC APPROVAL(S)</b>	N/A	

**SURROUNDING USES & ZONING**

<b>NORTH</b>	A-1 <ul style="list-style-type: none"> <li>• Single Family Residential</li> </ul>
<b>SOUTH</b>	A <ul style="list-style-type: none"> <li>• Grazing, Class I Improvements</li> </ul>
<b>EAST</b>	A <ul style="list-style-type: none"> <li>• Grazing, Class I Improvements</li> </ul>
<b>WEST</b>	A <ul style="list-style-type: none"> <li>• Single Family Residential</li> </ul>

**SITE DESIGN DETAILS**

<b>LOT STANDARDS (A-1)</b>	Minimum Lot Size: 43,560 square feet Minimum Lot Width: 100 feet
<b>SETBACKS (MINIMUM)</b>	Front: 50 feet Side: 10 feet Rear: 25 feet

<b>MINIMUM OPEN SPACE (NON RESIDENTIAL)</b>	N/A
<b>MAXIMUM BUILDING HEIGHT</b>	35 foot maximum
<b>MAXIMUM BUILDING SIZE</b>	N/A
<b>MINIMUM UNIT FLOOR AREA</b>	1,000 square feet
<b>MAXIMUM DENSITY</b>	1.0 dwelling unit per acre
<b>ACCESS</b>	Access off Jim Davis Road
<b>FLOOD ZONE(S)</b>	Zone X and AE per FIRM Panel 12081C0185E, effective 3/17/2014
<b>AREA OF KNOWN FLOODING</b>	Yes, Rainfall
<b>UTILITY CONNECTIONS</b>	<p>The following water and wastewater facilities are in the vicinity of this development project:</p> <ul style="list-style-type: none"> <li>- Water: 30" potable water main along CR 675/Rutland Road and there is not any public potable water main along Jim Davis Road according to Manatee County GIS.</li> <li>- Sewer: According to Manatee County, there is not any public sanitary gravity sewer or sanitary force main along CR 675/Rutland Road and Jim Davis Road.</li> <li>- Reclaimed: According to Manatee County, there is not any public reclaimed water main along CR 675/Rutland Road and Jim Davis Road.</li> </ul>
<b>ENVIRONMENTAL INFORMATION</b>	
<b>Overall Wetland Acreage</b>	There appears to be no wetlands on the site.
<b>Proposed Impact Acreage</b>	There appears to be no wetlands on the site.
<b>COMPLIANCE WITH MANATEE COUNTY LAND DEVELOPMENT CODE (LDC)</b>	
The proposed straight rezone can be found to meet the standards for a rezoning at this stage in the development review process.	
<b>TRANSPORTATION</b>	
<b><u>Major Transportation Facilities</u></b>	
The site is located on Jim Davis Road, approximately 2,300 feet south of Rutland Road (CR 675). Jim Davis Road is designated as a two lane collector roadway in the Comprehensive Plan's Future Traffic Circulation Plan with a planned right of way width of 84 feet.	

**Transportation Concurrency**

The Applicant is seeking a rezone approval at this time, and cannot obtain concurrency until the Preliminary Site Plan (PSP)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant will be required to submit a traffic study to determine if any off-site concurrency-related improvements are required by the project. The applicant did provide a Traffic Impact Statement (TIS) for the rezone to gauge the maximum impacts associated with allowable uses. Based on the study, it appears the potentially impacted segment of Jim Davis Road will have sufficient capacity for proposed project traffic (see Certificate of Level of Service Compliance table below). When a future application includes a request for transportation concurrency approval, the applicant shall submit a traffic study to determine if any off-site improvements are required to mitigate project impacts.

**Access**

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

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

**CLOS APPLIED FOR: No (A CLOS application cannot be issued with a rezone)**  
**TRAFFIC STUDY REQ'D: Yes (A TIS was submitted and reviewed; however, a traffic study will be required at PSP or FSP)**

NEAREST THOROUGHFARE	LINK	ADOPTED LOS	FUTURE LOS (W/PROJECT)
Jim Davis Road	6200	D	C

**OTHER CONCURRENCY COMPONENTS**

Solid waste landfill capacity, transportation and preliminary drainage intent will be reviewed at the time of application for concurrency. Potable water and waste water will be reviewed at the time of FSP/Construction Drawings.

**POSITIVE ASPECTS**

- The Rezone to A-1 would be a logical expansion of the A-1 zoning district to the north.
- The proposed A-1 zoning district is compatible surrounding zoning districts.
- Timing appears to be consistent with single family development trends in the area.
- The rezone to A-1 is consistent with the Future Land Use Category UF-3.

**NEGATIVE ASPECTS**

- The proposed rezone would allow for a site with a maximum density of 1 dwelling unit per acre adjacent to a site with a maximum density of 1 dwelling unit per 5 acres.

**MITIGATING MEASURES**

- The proposed rezone of 1.01 ± acres to A-1 will permit no more than 1 single family residence on the site.

**STAFF RECOMMENDED STIPULATIONS**

Not applicable. This is a “straight rezone” from A (General Agriculture) to A-1 (Suburban Agriculture). Stipulations are not attached to a straight rezone.

**REMAINING ISSUES OF CONCERN**

None

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE**  
*Review Criteria for Zoning Map Amendments (LDC Section 342.3)*

- 342.3. Review Criteria for Zoning Map Amendments**
- A. Compatibility with the existing development pattern and zoning of nearby properties.**  
There are existing residential uses to the north, south, east, and west. The proposed zoning district of A-1 (Suburban Agriculture) is consistent with existing surrounding properties, and the development pattern of surrounding areas.
  - B. Changes in land use or conditions upon which the original zoning designation was based.**  
There have not been any substantial changes in land use or conditions recently.
  - C. Consistency with the current comprehensive plan.**  
The site is in the UF-3 (Urban Fringe – 3 dwelling units per acre) FLUC. The proposed zoning of A-1 (Suburban Agriculture) is consistent with the UF-3 FLUC.
  - D. Conflicts with existing or planned public improvements.**  
The proposed rezone does not appear to present any conflicts with existing or planned public improvements.
  - E. Availability of public facilities, based upon a consideration of the following factors.**
    - 1. Impact on traffic characteristics related to the site, specifically trip generation potential.**  
The request is for a straight rezone from A to A-1. The traffic impact statement indicates the proposed rezone is anticipated to create no significant, adverse transportation impacts on Jim Davis Road.
    - 2. Impact on population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are adversely affects.**  
The A zoning district has a maximum allowable density of 0.2 dwelling units per acre and the A-1 zoning district has a maximum allowable density of 1 dwelling unit per acre. The rezone of a portion of the site from A to A-1 would allow the addition of no more than one (1) dwelling unit on the portion of the site being rezoned.
    - 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.**  
A straight rezone does not generate any specific impacts on public facilities. At the time of future site plan review when a specific use has been identified additional on-site, off-site studies will be conducted.
  - F. Health, safety or welfare of the neighborhood and County.**  
The proposed rezone will not have a negative impact on the overall health, safety or welfare of the neighborhood and County.
  - G. Conformance with all applicable requirements in this Code.**  
The request is consistent with all applicable requirements of the Manatee County LDC.
  - H. Consistency with the development patterns in the area and appropriateness for orderly development of the community. The cost of land or other economic consideration pertaining to the applicant shall not be a consideration in reviewing the request.**

The proposed rezone to A-1 is consistent with the development patterns in the area and may be deemed appropriate for the orderly development of the community.

**I. Logical expansion of adjacent zoning districts.**

The request to rezone to A-1 may be considered a logical expansion of the existing A-1 zoning district immediately north of this site, and the A zoning districts of the surrounding area.

**J. Impact on historic resources.**

There are no known historic resources on or adjacent to the subject property.

**K. Environmental impacts.**

There are no known wetlands on the site.

**L. Types of allowable uses and impact of those on surrounding residential areas.**

The allowable uses in the A-1 zoning district are specified in LDC Table 4-1: Uses in Agricultural and Residential Districts. The uses permitted in the proposed A-1 district are compatible with the permitted uses in the surrounding A and A-1 zoning districts.

**M. Relocation of mobile home owners, if applicable, within the meaning of, and pursuant to, F.S. §723.083.**

Not applicable.

**N. In the case of rezones to Planned Development, consistency with the Planned Development District standards contained in Chapter 4.**

Not applicable.

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

Not applicable.

**COMPLIANCE WITH COMPREHENSIVE PLAN**

The site is in the UF-3 (Urban Fringe – 3 dwelling units per acre) Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

**Policy 2.1.2.7 Appropriate Timing.**

The timing of this rezone is appropriate given trends in the area. The surrounding area is characterized by residential and agricultural uses including single family dwellings and grazing. North of the site is zoned A-1 and the parcels to the south, east, and west of the site is zoned A.

**Policy 2.2.1.11.2 Range of Potential Uses.**

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 semipublic uses, schools, low intensity recreational uses, and appropriate water-dependent/water related/ water-enhanced uses.

**Policy 2.2.1.11.3 Range of Potential Density.**

UF-3 (Urban Fringe – 3 dwelling units per acre) has a maximum gross residential density of 3 dwelling units per acre, a maximum net residential density of 9 dwelling units per acre.

**Policy 2.6.1.1 Compatibility.**

A rezone to the A-1 zoning district is compatible with the UF-3 FLUC.

**ATTACHMENTS**

1. Applicable Comprehensive Plan Policies
2. Staff Report Maps

- 3. Zoning Disclosure Affidavit**
- 4. Traffic Impact Statement (TIS)**
- 5. Newspaper Advertising**



**APPLICABLE COMPREHENSIVE PLAN POLICIES**

Policy:	2.1.2.7	<p>Review all proposed development for compatibility and appropriate timing. This analysis shall include:</p> <ul style="list-style-type: none"> <li>- consideration of existing development patterns,</li> <li>- types of land uses,</li> <li>- transition between land uses,</li> <li>- density and intensity of land uses,</li> <li>- natural features,</li> <li>- approved development in the area,</li> <li>- availability of adequate roadways,</li> <li>- adequate centralized water and sewer facilities,</li> <li>- other necessary infrastructure and services.</li> <li>- limiting urban sprawl</li> <li>- applicable specific area plans</li> <li>- (See also policies under Objs. 2.6.1 - 2.6.3)</li> </ul>
Policy:	2.2.1.11	<b>UF-3:</b> Establish the Urban Fringe - 3 Dwelling Units/Gross Acre future land use category as follows:
Policy:	2.2.1.11.1	<p>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)</p>
Policy:	2.2.1.11.2	<p>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 semipublic uses, schools, low intensity recreational uses, and appropriate water-dependent/water</p>

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:  
0.23 (0.35 for mini-warehouse uses only)

Maximum Square Footage for Neighborhood Retail Uses:  
Medium (150,000sf)  
Large (300,000)\*  
\*With Limitations (See Policy 2.2.1.11.5)

Policy: 2.2.1.11.4

Other Information:

a) All mixed, multiple-use, and community serving non-residential projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.

b) All projects for which gross residential density exceeds 1 dwelling unit per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval.

c) Any nonresidential project exceeding 30,000 square feet shall require special approval.

Policy: 2.2.1.11.5

In order to serve more than day to day needs within the low-moderate density urban environment, properties meeting the following criteria may be developed with land uses which are defined as community serving non-residential uses:

a) Located at the intersection of an arterial and a collector roadway as defined in the Chapter 5 of this plan.