Adoption of an Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning, as amended (The Manatee County Comprehensive Plan); providing a purpose and intent; providing findings; providing for a privately-initiated amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from the RES-1 (Residential-One dwelling unit per acre) to the MU/C/AC-1 (Mixed Use-Community Center Level 1/Activity Center Level 1) Future Land Use Classification, a total of five (5.00± acres), said property being generally on the east side of Lorraine Road, approximately one half mile from the intersection of S.R. 70 and Lorraine Road, at 5517 Lorraine Road, Bradenton (Manatee County); providing for severability and providing for an effective date.

RECOMMENDED MOTION:

Based upon the evidence presented, comments made at the Public Hearing, the technical support documents, the action of the Planning Commission, and finding the request to be CONSISTENT with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, I move to ADOPT Plan Amendment PA-18-01, as recommended by the Planning Commission.

(Commissioner Baugh)

PLANNING COMMISSION ACTION:
On May 10, 2018, by a vote of 5 – 0, the Planning Commission recommended approval. Mr. Horrigan and Mr. Rhoades were absent.

PUBLIC COMMENT AND CORRESPONDENCE:
May 10, 2018 Planning Commission
There was no public comment.
Nothing was entered into the record.
PLAN AMENDMENT SUMMARY SHEET

Name/Applicant: Rolf Nielsen

Case Numbers: PA-18-01/ORD-18-11, DTS- 20180014

Request: Amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from the RES-1 (Residential-One Dwelling Unit Per Acre) to MU-C/AC-1(Mixed Use Community/Activity Center Level 1).

Location: Generally located on the east side of Lorraine Road, approximately one half (1/2) mile north of the intersection of SR 70 and Lorraine Road at 5517 Lorraine Road.

Applicant’s Reason:

The applicant’s reason for the map amendment is to allow the continued operation of an RV and Boat storage facility at 5517 Lorraine Road, unincorporated Manatee County. Currently, RV and Boat Storage is not a permitted use in the current RES-1/WP-E/ST (Residential-One dwelling unit per acre/Evers Reservoir Watershed Protection/Special Treatment) Future Land Use Category and the A (General Agriculture-One dwelling unit per five acres) zoning district.

The applicant has indicated a need for this type of use in this area of the county since storage spaces are very limited and this area is experiencing rapid growth in development of residential subdivisions. RV and boat storage are not commonly a part of these residential subdivisions. Therefore, the allowance of the RV and boat storage facility provides convenience and a service for residents of nearby communities who are seeking storage spaces.

Change of Circumstance(s):

In the last decade, the area has been gradually transitioning to an area with a mix of uses rather than solely residential. This may be attributed to the fact that the future land use categories of some of the surrounding areas have changed. To the northeast of the subject site is MU-C/R (Mixed Use-Community/Residential). MUC/AC-1 is to the south and southeast of the subject site. Small pockets of land designated RES-1 and A/G-R (Agriculture-Rural) are further south.

The site is approximately one half mile north of the intersection of S.R.70 and Lorraine Road. Most of the north, south, east and west quadrants of the intersection of S.R.70 and Lorraine Road are designated as R/O/R (Retail/Office/Residential). A shopping center is planned at the northeast corner of Lorraine Road and S.R. 70. The applicant has submitted Exhibit A which shows development in the area of the subject property.

Additionally, the new extension of Rangeland Parkway is planned to be located immediately south of and adjacent to the subject site. According to information from Manatee Traffic Management, the future Rangeland Parkway is expected to connect Lorraine Road and continue east to Verna Bethany Road. Lorraine Road, in the vicinity of the subject property, is being improved as part of “Rangeland Improvements”. The site will eventually gain access from future Rangeland Parkway when the roadway is constructed.
Potential Impact of the proposed amendment on the surrounding area.

The proposed Map Amendment appears to be compatible with the Development trends in the area of consideration.

EXISTING FUTURE LAND USE MAP

The subject parcel (outlined in blue ink on map) has a total of five (5) acres designated as RES-1 on the Future Land Use Map.

According to Manatee County Comprehensive Plan, Policy 2.2.1.9, the Intent of RES-1 FLUC is to identify, textually in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density suburban residential environment, or a clustered low density urban residential environment where appropriate, and which may be utilized for agricultural activities in the short-term, while recognizing that suburban or clustered urban uses are the preferred long-term land use for these areas. Also, to provide for a complement of support uses normally utilized during the daily activities of residents of these suburban or urban areas.

Policy 2.2.1.9.2 of the Manatee County Comprehensive Plan lists in the Range of Potential Uses: Suburban or urban residential uses, neighborhood retail uses, 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, and water-enhanced uses.

According to Policy 2.2.1.9.3, the existing RES-1 FLUC allows the following:

- a maximum gross residential density of one (1) dwelling unit per acre;
- a maximum floor area ratio (FAR) of .23; and
- a maximum square footage of neighborhood retail uses of 150,000 square feet
Proposed Future Land Use Category:

The applicant requests a change of the existing RES-1 FLUC to the MU-C/AC-1 (Mixed Use Community/Activity Center Level 1) FLUC. The MU-C and associated subareas were newly created future land use designations in 2009 (PA-09-06). A part of the subject site abuts the MU-C/AC-1 FLUC to the south and east. The remaining east boundary of the site abuts MU-C/R (Mixed Use-Community/Residential).

Manatee County Comprehensive Plan, Policy 2.2.1.28.2, lists in the Range of Potential Uses for MU-C (Mixed Use-Community): Retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region-serving. Also, light industrial uses, research/corporate uses, warehouse/distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, short-term agricultural uses, and appropriate water-dependent/water related/water-enhanced uses.

MU-C/AC-1 FLUC allows a maximum Floor Area Ratio (FAR) of 1.00.

Legislative Policy Decision

The legislative policy decision of the Board of County Commissioners is to determine whether the proposed Map Amendment to MU-C/AC-1 is in the best interest of the public considering:

- Is the proposed Map Amendment compatible with the development trends in the area of consideration?
- Is the proposed Map Amendment compatible with surrounding uses and densities or intensities?

The Board of County Commissioners should make this decision based upon a comparison of the range of uses allowed in each Future Land Use designation.

Because the proposed map amendment is compatible with the development trends in the area of consideration, surrounding uses, and intensities, staff recommends adoption of this amendment request.

Land Use Characteristics and Development Trends

The site is in the Evers Reservoir Watershed Overlay District (WO).

Existing zoning, Future Land Use and uses of subject site and surrounding properties

<table>
<thead>
<tr>
<th>SITE</th>
<th>Zoning</th>
<th>FLUC</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>NORTH</td>
<td>A</td>
<td>RES-1</td>
<td>Agricultural use, Boat &amp; RV Storage</td>
</tr>
<tr>
<td>SOUTH</td>
<td>A</td>
<td>MU-C/AC-1</td>
<td>Agriculture/Residential</td>
</tr>
<tr>
<td>EAST</td>
<td>A</td>
<td>MU-C/AC-1 &amp; MU-C/R</td>
<td>Agriculture</td>
</tr>
<tr>
<td>WEST</td>
<td>A</td>
<td>RES-1</td>
<td>Residential</td>
</tr>
</tbody>
</table>

Summary:

Positive Aspects:

- The surrounding area has a mix of uses.
- The change to MU-C is a logical extension of the MU-C FLUC to the east and south.
Negative Aspects:

- The site is in the WO Overlay District which discourages utilization of septic tank systems.

Mitigating Factors:

- At time of development, the use would be required to meet current applicable requirements of the Manatee County Land Development Code and Florida Department of Health design criterion.

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**PLAN AMENDMENT DETAILED REVIEW LAND PLANNING ANALYSIS**

**SERVICES**

**Roadways:**

The Traffic Impact Statement (TIS) compares the maximum traffic impacts possible resulting from the development of the subject parcel at maximum densities/intensities allowed in the existing approved future land use designations versus anticipated densities/intensities in the proposed future land use designation.

Manatee County Transportation Planning Division have reviewed and accepted the Traffic Impact Statement (TIS) for the subject five (5) acre site.

A Certificate of Level of Service Compliance (CLOS) will be issued at time of Final Site Plan at which time an updated Traffic Study will be required to establish any applicable required mitigation.

**Utilities:**

The site will be served by county water and an existing septic tank system. Policy 9.2.2.2 prohibits the use of septic tanks in the Evers Reservoir portion of the WO except for isolated single family dwelling units meeting the exceptions identified in Policy 9.2.1.4. The owner or their authorized representative must apply for and receive re-approval of the septic system by the FL Department of Health - Manatee County prior to site plan approval.

A change in future land use from RES-1 to MU-C/AC-1 has the potential to increase water and wastewater impacts. A more detailed analysis may be required prior to issuance of a Certificate of Level of Service for utilities.

<table>
<thead>
<tr>
<th>Allowable under current land use of RES-1</th>
<th>Acres</th>
<th>Dwelling units/FAR</th>
<th>Max # Dwelling Units/Sq. Ft</th>
<th>PPH</th>
<th>Total Capita</th>
<th>GDP Potable Water</th>
<th>TOTAL GPD Potable Water</th>
<th>GDP Sanitary Sewer</th>
<th>Total GPD S/S</th>
<th>Total CYPD Solid Waste</th>
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<tr>
<td>RES-1</td>
<td>5</td>
<td>1 du/acre</td>
<td>5 dwelling units</td>
<td>3</td>
<td>15</td>
<td>65</td>
<td>975</td>
<td>65</td>
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<tr>
<td>RES-1</td>
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<td>50.094 sq.ft.</td>
<td>.12</td>
<td>6011</td>
<td>.10</td>
<td>5009</td>
<td>.417</td>
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</tbody>
</table>

<p>| Total Highest                            |       |                    | 6011                        | 5009 | .417         |
| Highest Allowable under current Land Use GPD/CYPD | 6011 | 5009 | .417 |</p>
<table>
<thead>
<tr>
<th>Proposed land use of MU-C/AC-1</th>
<th>Acres</th>
<th>Dwelling units/FAR</th>
<th>Max # Dwelling Units/Sq. Ft</th>
<th>PPH</th>
<th>Total Capita</th>
<th>GDP Potable Water</th>
<th>TOTAL GDP Potable Water</th>
<th>GDP Sanitary Sewer</th>
<th>Total GPD S/S</th>
<th>Total CYPD Solid Waste</th>
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</thead>
<tbody>
<tr>
<td>MU-C/AC-1</td>
<td>5</td>
<td>9 du/acre</td>
<td>45 dwelling units</td>
<td>3</td>
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<td>65</td>
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<td>Total Highest</td>
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<tr>
<td>Proposed INCREASE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</table>

Schools

<table>
<thead>
<tr>
<th>EXISTING LAND USE</th>
<th>Total Dwelling units</th>
<th>Max. Intensity FAR</th>
<th>Elementary Students Generated*</th>
<th>Middle Students Generated*</th>
<th>High Students Generated*</th>
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<tr>
<td>RES-1</td>
<td>15</td>
<td>3</td>
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<td>1</td>
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<tr>
<td>TOTAL (rounded)</td>
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<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
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</table>

<table>
<thead>
<tr>
<th>PROPOSED LAND USE</th>
<th>Total Dwelling Units</th>
<th>Max. Intensity FAR</th>
<th>Elementary Students Generated*</th>
<th>Middle Students Generated*</th>
<th>High Students Generated*</th>
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<tbody>
<tr>
<td>MU-C/AC-1</td>
<td>45</td>
<td>9 du/acre</td>
<td>9</td>
<td>2</td>
<td>3</td>
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<tr>
<td>TOTAL (rounded)</td>
<td>9</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>TOTAL PROPOSED</td>
<td>9</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>TOTAL EXISTING BASED ON HIGHEST POTENTIAL</td>
<td>3</td>
<td>1</td>
<td>1</td>
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<td></td>
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<tr>
<td>POTENTIAL INCREASE (rounded)</td>
<td>6</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
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</table>

Reclaimed Water:

Manatee County reclaimed water facilities are not available in this area.
Schools:

There are no concerns with the application at this time. Please note this property is adjacent to a potential future school site within the Northeast Quadrant DRI.

Transit

There are no transit services available to this site.

Parks

There are no parks in the vicinity of this site.

Natural Features:

- **Soils and Topography**

There are several soil types on this site. The soil types, based on the 1983 Soil Survey of Manatee county consist of:

  - **Pomona, non hydric** is a nearly level, poorly drained soil that formed in sandy and loamy marine deposits.
  - **Manatee** is a nearly level, poorly drained moderately permeable soils that formed in thick beds of moderately fine textured material.
  - **Myakka, non-hydric** is a nearly level poorly drained and very poorly drained soils that formed in sandy marine deposits that are underlain in places by shells and shell fragments.
  - **30-Myakka fine sand** is a nearly level, poorly drained soil in areas of broad flatwoods. Slopes are smooth to concave.

Soils Map Exhibit
**Flood Prone Areas/S.L.O.S.H./Hurricane Evacuation:**

The site lies in Zone A and X per FIRM Panel 12081C0334E, effective 3/17/2014.
- **Project Located in Flood Prone Area:** Yes
- **Type of Flooding (i.e. rainfall, riverine, storm surge, etc):** Rainfall
- **Project Subject to flow reduction:** Yes; 25% reduction in allowable pre-development rate of discharge.
- **Project subject to OFW:** Yes; Braden River/Evers Reservoir. Project area is within the Watershed Overlay District (WO). 150% water quality treatment is required for proposed development.
- **Watershed/Basin:** Wolf Slough/Braden River
- **Project located within Floodplain and/or Floodway:** Portion of the project area is within the FEMA 2014 FIRM 100-year floodplain (Zone "A"). No Base Flood Elevation determined. The applicant will be required to determine the 100-year Base Flood Elevation as part of final design.
- **Drainage Easements/Access Easements required for existing system(s):** N/A

The applicant will be required to determine the 100-year Base Flood Elevation as part of final design. All fill within the FEMA delineated 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 adopted Braden River Watershed Study to demonstrate, in post-development condition, that no adverse impacts are created to adjacent property based upon a "no-rise" flood stage condition.

The Engineer of Record (EOR) shall be required to submit drainage modeling to demonstrate the allowable pre-development rate of discharge has been reduced by twenty-five (25) percent for Braden River/Evers Reservoir Watershed. This project shall be required to provide 150% water quality treatment for Braden River/Evers Reservoir Watershed. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff. Stormwater and floodplain management design and engineering shall be in accordance with Section 801 and 802 of the Land Development Code (effective June 9, 2015) and the Public Works Standards Manual.

**Hurricane Evacuation**

The proposed site is not within a designated Hurricane Evacuation Zone.

**Beach Accessibility Evaluation**

The subject site is inland. Therefore, beach access considerations are not applicable.

**Historic Resources**

According to the Historic Site map, there are no known historical resources on the site. If any significant historic or archaeological resource is discovered in the future, during development activities, the findings 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 area allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statues (Offences Concerning Dead Bodies and Graves) shall be followed.

**Urban Development Considerations**

According to the Manatee County Comprehensive Plan, Urban Core Map, the subject property is not within the Urban Core.
Based on the population projection for Subarea 8, the population can easily be accommodated in the Subarea which has a projected population of approximately 9,759 by 2020 and 14,412 by year 2035.

The small potential population increase should not affect the overall population projection for the subarea.

**Consistency of the Proposed Amendment with the Comprehensive Plan**

The proposed plan amendment is anticipated to assist in attaining the following cited goals and objectives, and appears to be consistent with the following cited policies of the Comprehensive Plan.

**Objective 2.1.1. Mapping Methodology for the Future Land Use Map.**

Follow a mapping methodology limiting urban sprawl which recognizes existing development; projected growth areas; projected population and employment growth; and a possible development density and intensity less than the maximum specified on the Future Land Use Map. (See also all policies under Objective 2.6.1.)

**Policy 2.1.1.1** Maintain the Future Land Use Map with reserve capacity to accommodate the projected population and employment base through 2025.

**Policy 2.1.1.2.** Designate on the Future Land Use Map land within existing developed areas at densities and intensities which are compatible with the existing development.

**Policy 2.1.1.3.** Designate on the Future Land Use Map, land within currently undeveloped growth areas at densities and intensities which permit significant increases over current land use designations without creating urban sprawl.

The plan amendment site is west of the Future Development Area Boundary (FDAB) and in an area that is served by existing infrastructure. The site fronts a future collector roadway (Rangeland Parkway).

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

**Policy 2.1.2.3.** Permit the consideration of new residential and nonresidential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development, and compatible with future areas of development.

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

**Policy 2.1.2.5.** Permit the consideration of new residential and nonresidential development in areas which are currently undeveloped, which are suitable for new residential or nonresidential uses.
**Policy 2.1.2.6.** Limit urban sprawl through the consideration of new development, when deemed compatible with future growth, in areas which are currently undeveloped yet suitable for improvements.

**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 2.2.1.9.** RES-1: Establish the Residential-1 future land use category as follows:

**Policy 2.2.1.9.1.** Intent: To identify, textually in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density suburban residential environment, or a clustered low density urban residential environment where appropriate, and which may be utilized for compatible agricultural activities in the short-term, while recognizing that suburban or clustered urban uses are the preferred long-term land use for these areas. Also, to provide for a complement of support uses normally utilized during the daily activities of residents of these suburban or urban areas.

**Policy 2.2.1.9.2.** Range of Potential Uses (see Policies 2.1.2.3—2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, 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, and water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).

**Policy 2.2.1.9.3.** Range of Potential Density/Intensity:

- **Maximum Gross Residential Density:**
  
  One (1) dwelling unit per acre.

- **Maximum Net Residential Density:**
  
  Two (2) dwelling units per acre; or
  
  Six (6) dwelling units per acres (see 2.2.1.9.4(b) and (c) for explanation).

- **Maximum Floor Area Ratio:**
0.23 (0.35 for mini-warehouse uses only).

Maximum Square Footage for Neighborhood Retail Uses:

Medium (150,000 s.f.).

**Policy 2.2.1.9.4.** 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) Maximum net residential density within areas which are predominantly developed at a net residential density of two (2) du/ga or less, or where existing development has not utilized "clustering" to achieve a net density which is significantly greater than gross density, shall be limited to a two (2) dwelling units/acre on any part, or all, of a proposed project.

(c) Maximum net residential density within areas which are generally undeveloped, or which have experienced development which has predominantly utilized "clustering" to achieve net densities which are significantly greater than gross densities of the same project(s), shall be limited to six (6) dwelling units per acre on any part, or all of any proposed project. Net densities greater than six (6) dwelling units per net acre may be considered within the WO (Evers) or CHHA Overlay Districts, pursuant to Policies 2.3.1.5 and 4.3.1.5, to maximize protection of natural resources and to maximize reserved open space.

(d) Any project containing any net density in excess of one (1) dwelling unit per acre shall require special approval.

(e) Any nonresidential project exceeding thirty thousand (30,000) square feet of gross building area shall require special approval.

**Policy 2.2.1.28.2.** Mixed Use - Community Center Level 1 (MU-C/AC-1): Establish the Activity Center Level 1 subareas as follows:

Range of Potential Uses: Retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region-serving. Also light industrial uses, research/corporate uses, warehouse/distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, short-term agricultural uses, and appropriate water-dependent/water related/water-enhanced uses.

Range of Potential Density/Intensity:

Maximum Gross Residential Density:

Nine (9) dwelling units per acre.

Minimum Gross Residential Density:

Six (6) dwelling units per acre.

Maximum Net residential Density:

Twenty (20) dwelling units per acre.

Maximum floor Area Ratio:

1.0

Minimum Size of Activity Center:

Forty (40) acres
Other Information:

(a) All projects require special approval.

(b) All projects are subject to the following criteria, except for individual single family dwellings located on a lot of record and developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.

(1) Nonresidential uses exceeding one hundred fifty (150,000) square feet of gross building area (region-serving uses) may be considered only if consistent with the requirements for large commercial uses, as described in this element provided, however, to implement subsection (c) below, such uses shall not be subject to Policy 2.10.3.3 or 2.10.3.5.

(2) Development within this Mixed Use AC-1 subarea shall contain the minimum percentage of at least three (3) of the following general categories of land uses. If two (2) of the land uses include Recreation/Open Space and Public/Semi Public the required mix of uses increases to four (4) land use types, one (1) of which must be residential.

- Ten (10) percent Residential.
- Twenty (20) percent Commercial/Professional.
- Fifteen (15) percent Light Industrial/Distribution.
- Five (5) percent Recreation/Open Space.
- Three (3) percent Public/Semi Public.

(3) For new development projects presented in a unified development plan containing multiple future land use designations including MU-C, all land uses may be considered towards the minimum mix of required uses.

(c) Access between these uses within this subarea shall be provided by roads other than those shown on the Major thoroughfare Map Series of this Comprehensive Plan or alternative vehicular and pedestrian access methods acceptable to the County.

(d) Development or development within the area designated under this subarea shall not be required to achieve compliance with the commercial locational criteria described in Objectives 2.10.4.1 and 2.10.4.2 of this element.

Attachments:
1. Maps & Aerial
2. Exhibits A - E
3. Newspaper Advertising
4. Ordinance 18-11 / PA-18-01