

**COMPREHENSIVE PLAN
COUNTYWIDE AMENDMENTS
INTRODUCTION**

1. Amendment to **Section A.2, Manatee County Board of County Commissioner’s Ordinances Amending this Comprehensive Plan.**

RESOLUTION/ ORD.	PA Number	NAME	ADOPTED DATE	EFFECTIVE DATE

Ord 05-63	PA-05-18	Definitions Element- Environmental Preserve	12/20/05	03/07/06

2. Amendment to **Section B, Purpose:**

This Comprehensive Plan is developed pursuant to the requirements of Chapter 163, Florida Statutes (F.S.), the "~~Local Government Comprehensive Planning and Land Development Regulation Community Planning Act.~~", and pursuant to the requirements of Rule/Chapter 9J-5, Florida Administrative Code (F.A.C.). The Comprehensive Plan for Unincorporated Manatee County, though developed in response to the state law, is based on and responds to the unique past, present, and preferred future characteristics of the unincorporated area of Manatee County, and of adjacent local governments.

Other than the purposes expressly defined in Chapter 163, F.S., ~~and rule 9J-5, F.A.C.~~ (see General Data Section in the Technical Support Document of this Plan), this Comprehensive Plan has other specific targeted functions, as enumerated in the goals of the various plan elements. These goals are developed to:

- * effect political cooperation and technical coordination by bringing professional and technical knowledge to bear on governmental decisions concerning the physical development of the community; and
- * ~~to~~ promote a healthy, stable, and vigorous local economy which can satisfy the goods and service needs of the local community, can provide opportunities for economic activity exporting goods and services outside Manatee County, and offer the community an ample range of employment opportunities.

3. Amendment to **Section C.1.2.2, Implementation Mechanisms:**

In order to ensure that the policies in this Comprehensive Plan are properly and consistently applied to the review of proposed development, and to the evaluation of proposed public sector actions, the majority of policies in this Comprehensive Plan are assigned one or more implementation mechanisms.

~~Implementation mechanisms established in this Comprehensive Plan are developed to meet the intent of Rule 9J-5.005(6) F.A.C. This section (see Technical Support Document – General Data Section) requires that the "...goals, objectives, and policies shall describe how the local government's programs, activities, and land development regulations will be initiated, modified or continued to implement the Comprehensive Plan in a consistent manner."~~ This Plan's implementation mechanisms are very specific as to the "whos," "hows," and "whens" of Plan implementation to ensure consistency and effectiveness of Plan implementation. However, ~~9J-5.005(6), F.A.C. also states that "It is not the intent of the County to include this Chapter to require the inclusion of implementing regulations in the Comprehensive Plan...". This intent statement is potentially conflicting with the previous statement requiring inclusion of descriptions of "programs, activities, and land development regulations." To resolve this potential conflict, i~~Implementation mechanisms shall be afforded a special status under this Comprehensive Plan, as follows:

- * Implementation mechanisms are provided by way of example, and are not all-inclusive.

4. Amendment to **Section C.2.1, Plan Interpretation:**

C.2.1.1 Administrative and Final Interpretation.

Where Manatee County staff administration of this Comprehensive Plan includes the interpretation of a specific policy or policies, and where such interpretation is reasonably debatable after considering the language contained in the associated objective and goal, and after considering other goals, objectives, and policies in this Comprehensive Plan, an "aggrieved or adversely affected party" (as defined in § 163.3215(2), F.S.—[see the General Data Section of the Technical Support Document](#)) may request a final interpretation of the appropriate policy or policies by the Board of County Commissioners, or other appropriate body assigned duties of final plan interpretation by the Board of County Commissioners. Any such final interpretation shall be limited to use of the applicable policy or policies as pertaining to the specific development order application or public sector activity. Any such final interpretation shall be rendered by the Board of County Commissioners (or other appropriate body) within thirty (30) days of the receipt of a written request for final interpretation by Manatee County. Any such final interpretation shall be subject to further action only as described in § 163.3215, F.S.

Other specific plan interpretation procedures, including procedures for interpretation of the Future Land Use Map, are contained in the Operative Provisions of the Future Land Use Element [and the Land Development Code](#).

C.2.1.2 Conflicting Policies.

Where one or more goals, objectives or policies in this Comprehensive Plan conflicts with a provision in the Master Plan for Port Manatee, the goal, objective or policy not part of the Port Master Plan shall prevail over the provision in the Port Master Plan.

C.2.1.3 Other Rules of Plan Interpretation.

Board; Commissions; Officials

The terms Board of County Commissioners, Planning Commission, County Administrator, and other similar offices shall mean the respective boards, commissions, and officers of the County of Manatee and their authorized agents. The use of the term County Commission or the abbreviation BOCC shall always mean the Board of County Commissioners; the use of the term "[Building and Development Services Planning](#)-Department" shall mean the Director of the [Building and Development Services Planning](#)-Department, and his authorized agents.

5. Amendment to **Section C.2.4, Corrections:**

Where a designation on the Future Land Use Map has been erroneously labeled or located, or the text has been erroneously printed, and records at the [Building and Development Services Planning](#)-Department, or Board Records can be produced to verify that such a mapping, labeling or printing error has been made, the Manatee County Board of County Commissioners shall correct the errors or omissions by resolution or ordinance.

6. Deletion of **Section D.2, Special Exceptions to Required Consistency with this Comprehensive Plan:**

~~**D.2 SPECIAL EXCEPTIONS TO REQUIRED CONSISTENCY WITH THIS COMPREHENSIVE PLAN**~~

~~**D.2.1 Special Exceptions Based on Previous Approval of Development Orders**~~

~~Notwithstanding any other provisions of this Comprehensive Plan, it shall be the policy of Manatee County to consider the approval of a proposed development order which may be considered inconsistent with the Future Land Use Map, or with a policy or operative provision in this Comprehensive Plan, if that project in its entirety or project phase is completely contained on a site for which a complete application for one or more of the following development orders has been submitted to the appropriate Manatee County department which has been approved or issued prior to the date of adoption of this Comprehensive Plan by Manatee County:~~

~~(a) Development orders relating to a Development Regional impact (DRI) Project or Florida Quality Development (FQD) pursuant to Chapter 380, F.S.~~

~~(b) Valid and Approved Final Local Development Order.~~

~~Additionally, it shall be the policy of Manatee County to consider the approval of a proposed development order which may be considered inconsistent with the Future Land Use Map or a policy or operative provision in this Comprehensive Plan if that project in its entirety or project phase is completely contained on a site which has one of the following:~~

~~A development order or rights determined to be "vested" pursuant to (a) any prior judicial determination or any judicial determination by an appropriate court overturning a Vested Rights Determination.~~

~~(b) A development order or right determined to be "vested" pursuant to a "Vested Rights Determination" of the Board of County Commissioners after the presentation to the Board of County Commissioners of evidence in a public hearing relating to that property. In order for the Board of County Commissioners to issue a "Vested Rights Determination", the property owner must establish that he acted in good faith and in reasonable reliance upon some act or omission of the County and has made such a substantial change in position or has incurred such extensive obligation and expenses that it would be highly inequitable and unjust to destroy the rights he has acquired. A land use designation in a prior Comprehensive Plan, or a zoning ordinance is not sufficient to constitute an act or omission of the County. The Board of County Commissioners shall examine, consider and apply the treatment of similar cases by Florida courts in making its Vested Rights Determination, which shall address the extent of the vested rights, if any. In making its decision, the Board of County Commissioners shall consider the recommendations of the County Attorney's Office. Such recommendations shall be required for all vested rights determinations, after considering input and recommendations that may be made by the Planning Department. Any person, who claims that he has vested rights must file an application for a Vested Rights Determination by June 30, 1990. Such applications not filed by June 30, 1990 shall not be accepted or reviewed and any such rights claimed after said date shall be irrevocably waived and abandoned. Vested Rights Determinations shall be deemed to be an action taken on a development order and shall be subject to challenge in the manner provided in § 163.3215, Florida Statutes.~~

~~(c) Any development which is the subject of a completed application pending prior to the date of adoption of an amendment to this Comprehensive Plan for a DRI Development Order, a FQD Development Order or a Final Local Development Order, shall be reviewed under and shall be consistent with the provisions of this Comprehensive Plan that were in effect at the time of filing of such application; provided however, such application must be diligently pursued by the developer. Any such development shall be considered to have Special Exception status to the extent of any inconsistencies with such amendments.~~

~~Any development which has received a DRI Development Order, a FQD Development Order, or a Final Local Development Order prior to the date of adoption of an amendment to this Comprehensive Plan shall be considered to have Special Exception status to the extent of any such inconsistencies with such amendments.~~

~~D.2.2 Policies Relating to Special Exception Projects~~

- ~~* Projects with Special Exception status under subparagraphs (a) and (b) of the paragraph above shall not be required to comply with the provisions of this Plan to the extent that they are inconsistent with this Plan.~~
- ~~* Development orders determined to have "vested rights" under subparagraphs (c) and (d) of paragraph 1 above, shall not be required to comply with the provisions of this Plan to the extent provided in the Vested Rights Determination or judicial order.~~
- ~~* Subsequent development orders for projects with Special Exception status shall be reviewed in accordance with the Comprehensive Plan provisions in effect at the time the project received Special Exception status.~~
- ~~* No development order for any single family residential unit shall be withheld due to inconsistency with the density provisions of this Plan, nor be required to obtain a Certificate of Level of Service Compliance, if such residential unit will be constructed upon a legal lot of record existing prior to the adoption of this Comprehensive Plan.~~
- ~~* It is not the intent of this section to preclude the consideration of appropriate extensions of development orders or phasing deadlines. Special Exception status shall, however, terminate upon expiration, repeal or rescission of any approved development order that created the Special Exception status on the project or project phase or extension thereof. Any project, or all phases thereof, that are made a Special Exception under this policy, shall be considered non-conforming and shall lose such Special Exception status upon the expiration of any preliminary or final plan or plat, or the missing of any phasing deadline for such project.~~
- ~~* A project may retain special exception status if it continues in good faith toward completion of development as demonstrated by any of the following:
 - ~~* Progress through approval stages so long as such approvals do not expire as provided in the Manatee County Land Development Code. Approval stages may include preliminary plat, preliminary plan, construction drawing, final plat, final plan, building permit, or nonconforming project revision (Section D.3.1 herein); or,~~
 - ~~* Substantial completion of construction, i.e., at least 50% of the horizontal or vertical improvements as required by the approved plan or plat for that particular project or phase.~~~~
- ~~* Any proposed development order considered under the Special Exception provisions of this section must be consistent with the development orders previously approved and issued prior to the Plan adoption for the proposed project or project phase. A developer may elect to be processed under this Comprehensive Plan, in its entirety, as it exists at the time of the request for development order approval. Unless a developer indicates that the Special Exception provisions, as set forth above, apply to a request for development order approval at the time of application for such development order, then such project shall be processed under the terms of the Comprehensive Plan in existence at the time of such application.~~
- ~~* Nothing in this section precludes review of a proposed project or project phase that has been determined to have Special Exception status under this section for compliance with other applicable development regulations not contained in this Comprehensive Plan.~~

7. Deletion of Section D.3, Nonconformities with Respect to this Comprehensive Plan:

~~D.3 NONCONFORMITIES WITH RESPECT TO THIS COMPREHENSIVE PLAN~~

~~D.3.1 General Provisions~~

~~No nonconforming project plan or plat, project phase plan or plat, use or structure shall be amended, modified, enlarged, extended or intensified unless approved by the Board of County Commissioners as a special approval. (See also policy 2.9.3.2 regarding residential plats in the Ag/R future land use category.) Prior to granting a special approval for an amendment, modification, enlargement, extension, or intensification of nonconforming project, project phase, use or structure, the Board of County Commissioners shall ensure that:~~

~~* No nonconforming project, phase, use or structure is expanded beyond the boundaries of the parcel of land it occupied when it became nonconforming.~~

~~* The amendment, modification, enlargement, extension or intensification of the nonconforming project plan or plat, project phase plan or plat, use or structure, will not materially change the character or quality of the neighborhood in which it is located, or hinder the proper future development of the surrounding properties, or cause a violation of Level of Service standards as set forth herein.~~

~~* Any extent to which the project plan or plat use or structure is nonconforming is clearly reduced or decreased, if not eliminated. (The only exception to this provision is where the proposed amendment, modification, enlargement, extension, or intensification is found, through the special approval process, to have no effect on or to bear no relationship to the specific nonconformity or nonconformities that existed for the project on May 11, 1989.~~

~~As used in these general provisions, the word extension does not refer to extensions to the time frames associated with either expirations of development approvals, or those required for requesting approvals concerning subsequent procedural steps in the total approval process.~~

~~D.3.2 Otherwise Illegal Uses and Structures Prohibited~~

~~The following residential development which were existing as of May 15, 1989, and were conforming as to density prior to adoption of this Comprehensive Plan and have now been rendered nonconforming with regard to density, may be rebuilt if destroyed or substantially damaged by an act God. Any reconstruction shall be at the same density that existed at the time of said adoption. The number of units which may be rebuilt for an individual development are as follows:~~

DEVELOPMENT	ADDRESS	EXISTING NUMBER OF UNITS
Caseo Dorado	9800 Cortez Road	57
The Waterways	9604 Cortez Road	78

~~All of the foregoing provisions relating to nonconforming uses and structures shall apply to all nonconforming uses and structures existing on the effective date of this Ordinance and to all uses and structures that become non-conforming by reasons of any amendment thereof. The provisions shall not apply, however, to any use established or structures erected or expanded in violation of law, regardless of the time of establishment or erection.~~

8. Renumbering and amendment to **Section D.4, Non-Local Standards and Regulations:**

D.24 NON-LOCAL STANDARDS AND REGULATIONS

Several State, federal, or regional standards, criteria, or regulations are incorporated into this Comprehensive Plan by reference. These applicable non-local regulations, standards or criteria in effect at the time of Plan adoption shall be utilized during Plan implementation unless specifically noted otherwise in the reference or changed by Plan Amendment.

~~Nothing in this Comprehensive Plan shall preclude Manatee County from amending this Comprehensive Plan to expand the number or extent of geographic areas which are described in non local regulations/standards, so as to effect a broader application of the non local standards. Furthermore, nothing in this Comprehensive Plan shall preclude Manatee County from adoption of more stringent or more broadly applied standards or regulations, by amending those subsections of this Comprehensive Plan that reference existing non local standards, regulations, or criteria.~~

9. Deletion of Section **D.5, Specific Property Development Conditions** (moved to the Future Land Use Element as new Goal 2.14):

~~**D.5 —“SPECIFIC PROPERTY DEVELOPMENT CONDITIONS**~~

~~**D.5.1 Ordinance 08-06(PA-08-06)**~~

~~The 19.3± acre property located northwest of the intersection of U.S. 301 and Buckeye Road and designated Retail/Office/Residential (R/O/R) on the future Land Use Map pursuant to Manatee County Ordinance No. 08-06 and Comprehensive Plan Amendment No. PA-08-06 shall be limited to any combination of permitted uses which collectively generate cumulative transportation impacts on the Major Thoroughfare System no greater than those generated by a project comprised of 160,000 square feet of commercial retail uses. The foregoing notwithstanding, for the first five (5) years after adoption of Manatee County Ordinance No. 08-06 and Comprehensive Plan Amendment No. PA-08-06, said property shall be further limited to any combination of permitted uses which collectively generate cumulative transportation impacts on the Major thoroughfare system no greater than those generated by a project comprised of the maximum development identified by the Urban Fringe 3 (UF-3) Future Land Use Map category (the previous Future Land Use Map category for the property).”~~

~~**D.5.2 Ordinance 08-07(PA-08-05)**~~

~~The 740± acre property which includes:~~

- ~~(a) 732± acres which have been designated Mixed Use (MU) on the Future Land Use Map pursuant to Manatee county Ordinance No. 08-07 and Comprehensive Plan Amendment No. PA-08-05, and~~
- ~~(b) 8± acres located between U.S. 301 and the Seaboard Airline Railroad Right of way which have been designated Public/Semi Public (P/SP-1) on the Future Land Use Map shall be subject to the following:~~

~~I. Trip Limitations. The project shall be limited to any combination of permitted uses which collectively generate cumulative transportation impacts on the Major Thoroughfare System no greater than those generated by a project comprised of 3,200 residential dwelling units (of varied types, 900,000 square feet of commercial retail uses, 375,000 square feet of office uses, and 300,000 square feet of light industrial and warehouse uses.~~

~~II. Land Use Requirements.~~

- ~~1. The light industrial and warehouse uses component of the project shall not be less than 300,000 square feet.~~
- ~~2. The residential use component of the project shall be limited to 2,300 residential dwelling units until 25% of the non-residential use component has commenced.~~
- ~~3. The residential use component of the project shall not exceed 3,200 residential dwelling units.~~

~~III. Five Year Trip Cap. The foregoing subparagraphs (1) and (2) notwithstanding, until December 31, 2013, said property shall be further limited to any combination of permitted uses which collectively generate cumulative transportation impacts on the Major Thoroughfare System no greater than those generated by a project comprised of the maximum development identified by the Urban Fringe 3 (UF 3) Future Land Use Map category (the previous Future Land Use Map category for the property) (a total of 1,731 p.m. peak hour trips).~~

~~IV. Land Use Form.~~

~~The project shall consist of mixed use and neo-traditional development as such terms are defined in this Comprehensive Plan.~~

~~Phasing and mixing of land uses to achieve the above shall be addressed with project approval.~~

~~D.5.3 Ordinance 09-06 (PA-09-04)~~

~~The 208.15± acre property located on the west side of County Route (CR) 39 at the manatee Hillsborough County line and designated as P/SP(1) Public/Semi Public (1) on the Future Land Use Map, pursuant to Manatee County Ordinance No. 09-06 and Comprehensive Plan Amendment No. PA-09-04, shall be limited to the declared use of a Class III, geosynthetically lined landfill and recycling facility with accessory uses such as office, scale house, and equipment storage. This landfill shall accommodate only yard waste, construction and demolition debris, processed tires, asbestos, carpet, cardboard, paper, glass, plastic, furniture other than appliances, or other materials approved by the Florida Department of Environmental Protection that are not expected to produce leachate which poses a threat to public health or the environment. No putrescibles or household garbage shall be delivered to or deposited in the landfill at this site.~~

~~This property shall be subject to the following:~~

- ~~1. Landfill Liner System Requirements. The landfill shall include a liner system that is consistent with applicable Florida Department of Environmental Protection rules in Chapter 62701, F.A.C., as may be amended by the agency from time to time.~~
- ~~2. Hydrology. The hydrology of downstream surface waters shall be maintained by matching pre-development discharge flows.~~
- ~~3. Surface Water and Groundwater Monitoring. The landfill operator shall establish a surface and groundwater quality monitoring program performed in accordance with applicable Florida Department of Environmental protection rules in Chapter 62-701, F.A.C., as may be amended by the agency from time to time.~~
- ~~4. Stormwater Management. The landfill operator shall design and construct all necessary stormwater management facilities in compliance with applicable Florida Department of Environmental Protection and SWFWMD rules in Chapters 62701 and 40D-4, F.A.C., respectively, as may be amended by the agency from time to time to include consideration of water quality, habitat function, receiving waters, adjacent property(s), conservation of fish and wildlife, and wetlands.~~
- ~~5. Dust, Wind Blown Debris, Odor, and Bird Controls. The landfill operator shall design, construct, operate, and maintain all dust, wind blown debris, odor, and bird controls required and in compliance with applicable Florida Department of Environmental Protection rules in Chapter 62-701, F.A.C., as may be amended by the agency from time to time.~~
- ~~6. Buffers, Setbacks, and Siting. The landfill operator shall design, construct, and maintain all required and established buffers, setbacks, and landfill siting requirement in compliance with applicable Florida Department of Environmental Protection rules in Chapter 62-701, F.A.C., as may be amended by the agency from time to time.~~
- ~~7. Notwithstanding, the specificity of the foregoing, the above specific property development conditions shall be considered as minimal requirements and there may be additional stipulations approved~~

~~applicable to this property as part of rezoning to the Planned Development Public Interest (PDPI) Zone District and companion Preliminary Site Plan subject to the approval of the Board of County Commissioners.~~

~~D.5.4 Ordinance 09-31 (PA-09-08)~~

~~The property located on the west side of US 41 at 11551 and 11805 S 41 North and designated as P/SP(1) Public/Semi Public(1) on the Future Land Use Map, pursuant to Manatee County Ordinance No.09-31 and Comprehensive Plan Amendment No. PA09-08, shall be limited to an electricity generating facility using only biomass fuels, and solar energy retaining the light industrial uses as provided for in the former II- Industrial Light Future Land Use Category applicable to this site. The electric power generating facility shall not be fired by coal or petroleum products. This property, if developed as an electric power generating facility using biomass fuels and solar energy, shall be subject to the following:~~

- ~~1. Storm water Management. All necessary storm water management facilities shall be designed and constructed in compliance with all State, Water Management District, and County laws, codes, and standards and requirements.~~
- ~~2. Hydrology. The hydrology of downstream surface waters shall be maintained by matching predevelopment discharge flows.~~
- ~~3. Flooding. All new development within the limits of the one hundred year floodplain and all areas seaward of the five foot mean seal level topographic contour shall meet the requirements and standards of the Comprehensive Plan and Land Development Code. Special consideration and design shall be given to flood proofing required for hurricane storm water surges that may impact this site.~~
- ~~4. Wetlands. Wetlands shall be preserved and protected to enhance their functions of water quality improvement, water as a renewable resource, recreational value, and beneficial use to man, birds, and animals. Performance of this stipulation shall be in compliance with all applicable State and County laws, codes, standards and requirements.~~
- ~~5. Habitat and wildlife protection. An appropriate amount of land and water shall be set aside to protect habitat and provide habitat for both plant and animal species. Such land or water may include wetlands and required buffers and storm water management facilities. Performance of this stipulation shall in accordance with all applicable State and County laws, codes, standards and requirements.~~
- ~~6. Air Quality. All necessary air quality controls for dust, wind blown debris, and odors shall be designed, constructed, and operated in compliance with all State and County laws, codes, and standards and requirements.~~
- ~~7. Buffers, landscaping, and Screening. Adequate buffers, landscaping, and screening shall be required to protect enhance the community environmental, economic, and aesthetic quality.~~
- ~~8. Solid Waste. Temporary on-site storage, including separate storage of all hazardous wastes in suitable containers, shall be provided and arrangements shall be made for licensed haulers to transport all wastes generated to appropriate process or disposal sites.~~
- ~~9. Adverse impact performance. The electric power generating facility shall be conducted in a manner that complies fully with all applicable State and County laws, codes, standards and requirements.~~
- ~~10. Notwithstanding, the specificity of the foregoing, the above specific property development conditions shall be considered as a minimal requirements and there may be additional stipulations approved applicable to this property as part of the rezoning to Planned Development District and approval of the general development plan, preliminary site plan and final site plan, as applicable.~~

~~D.5.5 Ordinance 09-12 (PA-09-05)~~

~~The 558+ acre property identified as the Northwest Quadrant and designated MU C on the Future Land Use Map pursuant to Manatee County Ordinance No. 09-12 shall be limited to the following maximum development totals:~~

~~* 559,504 sf of Retail*~~

~~* 527,004 sf of Office*~~

~~* 408 Single Family Detached Residential Units**~~

~~* 192 Single Family attached Residential Units**~~

~~* 484 Multi Family Units**~~

~~* Retail or Office square footage may be exchanged for Industrial square footage provided that the infrastructure impacts are not increased from those which would be generated by the above maximum numbers.~~

~~**Residential unit types may be exchanged up to a maximum of 20% for each unit type.~~

~~Land Use Form.~~

~~1. The project shall consist of mixed use and neo-traditional development as such terms are defined in this Comprehensive Plan.~~

~~2. Phasing and mixing of land uses to achieve the above shall be addressed with project approval.~~

~~D.5.6 Ordinance 09-12 (PA-09-06)~~

~~The 6,595+ acre property identified as the Northeast Quadrant and designated MU-C on the Future Land Use Map Pursuant to Manatee County Ordinance No. 09-12 shall be limited to the following maximum development totals:~~

~~* 2,865,584 sf of Retail~~

~~* 2,280,584 sf of Office~~

~~* 5,559,454 sf of Industrial~~

~~* 5,203 Single Family Detached Residential Units**~~

~~* 2,541 Single Family Attached Residential Units**~~

~~* 3,228 Multi Family Units~~

~~The property shall contain a minimum of 833,918 square feet of industrial development.~~

~~Land Use Form.~~

~~1. The project shall consist of mixed use and neo-traditional development as such terms are defined in this Comprehensive Plan.~~

~~2. Phasing and mixing of land uses to achieve the above shall be addressed with project approval.~~

~~The residential use component of the project shall be limited to i) 2,000 dwelling units until 100,000 square feet of retail plus 100,000 square feet of either office or industrial has commenced, ii) 4,000 dwelling units until 200,000 square feet of retail plus 200,000 square feet of either office or industrial has commenced, and iii) 5,000 dwelling units until 500,000 square feet of non-residential has commenced. The Board of County commissioners may allow an exception to this requirement in order to implement other provisions of the Comprehensive Plan, such as the ability to construct workforce or affordable housing, through the granting of a special approval by Resolution.~~

~~**Residential unit types may be exchanged up to a maximum of 20% for each unit type.~~

~~D. 5.7 Ordinance 10-01 (PA-10-01)~~

~~The 1,420+ acre property identified as the Crossroads at SW Manatee and designated MU-C on the Future Land Use Map pursuant to Manatee County Ordinance No. PA-10-01 shall be limited to the following maximum development totals:~~

~~° 8,600 Residential Units~~

~~° 3,839,814 square feet Non-Residential Land Use Form~~

- ~~1. The project shall consist of mixed use and neo-traditional development as such terms are defined in this Comprehensive Plan.~~
- ~~2. Phasing and mixing of land uses to achieve the above shall be addressed with project approval.~~
- ~~3. Notwithstanding the maximum residential density contained in Policy 2.2.1.28.2 of this Plan, a maximum of 36 residential dwelling units per gross acre (maximum 40 residential dwelling units per net acre) may be allowed in the AC-1 subarea of the site, pursuant to special approval. This density may be reduced at the discretion of the Board of County Commissioners due to site constraints, compatibility with surrounding uses and other factors. In no case shall the total number of residential units exceed the density limitation of 8600 dwelling units for this property.~~

~~D.5.8. Ordinance 10-19 (Stank PA-10-19)~~

~~The 67.37± acre property identified as the Stank Plan Amendment and designated MU on the Future Land Use Map pursuant to Manatee County Ordinance 10-19 shall be limited to any combination of permitted uses which collectively generate cumulative transportation impacts on the Major Thoroughfare System no greater than 1,064 net external pm peak hour trips for the five-year period following adoption of the amendment.~~

~~D.5.9. Ordinance 10-11 (Parrish Lakes PA-10-11)~~

- ~~1. The 1,155 ± acre property which includes:
 - ~~(a) 1,132 ± acres which have been designated Mixed Use (MU) on the Future Land Use Map pursuant to Manatee County Ordinance No. 1011 and Comprehensive Plan Amendment No. PA-10-11, and~~
 - ~~(b) 23 ± acres of a Florida Power and Light easement that runs north-south between Moccasin Wallow Road and Erie Road that have been designated Public/Semi-Public (P/SP-1) on the Future Land Use Map;~~~~

~~Shall be subject to the following:~~

~~(1) Land Use~~

- ~~a. Non-residential (office and commercial) uses shall be limited to a maximum of 750,000 square feet and residential to a maximum of 3,465 units.~~
- ~~b. In no event shall the mix of uses generate impacts for transportation, solid waste disposal, potable water and sanitary sewer, mass transit, drainage, and parks and recreation above and beyond those impacts generated by 3,300 residential units and 550,000 square feet of nonresidential square footage.~~
- ~~c. The project shall consist of a mix of at least 2 uses (residential, commercial, office) and may include neo-traditional development as such terms are defined in this Comprehensive Plan. One of the uses must be residential.~~
- ~~d. Phasing and mixing of land uses to achieve the above shall be addressed with project approval.~~

~~(2) Maximum Development Potential for First Five Years. The foregoing paragraph (1, Land Use) notwithstanding, until December 31, 2015 said property shall be further limited to 250,000 square feet of commercial and 900 single-family units and 600 multi-family residential units in order to maintain an acceptable level of service on the existing roadway network.~~

~~D.5.10. Ordinance 10-09 (U.S. Funding Group, LLC PA-10-09)~~

The property located west of the CSX railroad right of way and designated as “IL” in Manatee County Ordinance 89-01 and Plan Amendment PA-10-09, shall be subject to the following conditions:

1. Due to the property’s location within the Coastal High Hazard Area and within 500 feet of the Terra Ceia Aquatic Preserve, the following restrictions on uses otherwise permitted under the IL category shall apply:
 - a. The property shall be subject to Policy 4.3.1.4 restrictions on hazard wastes and shall not be exempt based on its close proximity to Port Manatee.
 - b. Vehicle or equipment repair shops shall be prohibited.
 - c. Privately operated airports or heliports shall be prohibited.
 - d. Except as may be necessary to accommodate stormwater outfalls, or as part of an approved wetland or wetland buffer restoration plan, and excepting an area as may be required to provide needed access to the southern portion of the property and as is otherwise consistent with the Comprehensive Plan, there shall be no dredging or filling:
 - i. within any areas comprising the Terra Ceia Aquatic Preserve;
 - ii. within coastal wetlands or wetland areas adjacent to the Terra Ceia Aquatic Preserve, or
 - iii. within 50 feet of any areas comprising the Terra Ceia Aquatic Preserve, coastal wetlands, or wetland areas adjacent to the Terra Ceia Aquatic Preserve.
 - e. No public infrastructure shall be located within the property.
2. Areas consisting of jurisdictional wetlands shall not be counted toward the developable Floor Area Ratio.
3. The development on the overall site shall not exceed 1,080,000 square feet.
4. Upon the effective date of this Plan Amendment, the current approved site plans for residential development shall no longer be valid.
5. The property shall be eligible to be rezoned to the PDEZ or PD-I zoning district consistent with the IL designation and the restrictions herein notwithstanding, the specificity of the foregoing, the above specific property development conditions shall be considered as minimal requirements and there may be additional stipulations approved applicable to this property as part of the rezoning to a Planned Development Zone District and approval of a General Development Plan, Preliminary Site Plan, and Final Site Plan, as applicable.

~~D.5.11 Ordinance 10-12 (FP&L-PA-10-12)~~

The 2,532± acre property located on the north side of S.R. 62, approximately one mile east of US 301, west of the existing FP&L power plant and approximately one half mile south of the Hillsborough County line, at 19050 S.R. 62, Parrish and designated as P/SP(1) Public/Semi Public(1) on the Future Land Use Map, pursuant to Manatee County Ordinance No 10-12 and Comprehensive Plan Amendment No. PA-10-12 shall be for the commercial production of electric current generated by various renewable energy technologies including but not limited to solar energy which is generated for the purpose of the distribution to off-site users. The electric power generating facility fuel source shall not be coal or petroleum based products.

~~D.5.12 Ordinance 10-04 (Beverly Financial PA-10-04)~~

1. The 317± acre property identified as Beverly Financial and designated MU on the Future Land Use Map pursuant to Manatee County Ordinance No. 10-04 shall require the following:
 - I. Land Use Requirements:
 1. Development totals shall be limited to a maximum of:

~~i. 836,352 square feet of commercial/office/retail~~

~~ii. 1,500,000 square feet of industrial~~

~~iii. 945 residential dwelling units~~

~~II. Maximum Development Potential for First Five Years. The foregoing paragraph (I) notwithstanding, until October 5, 2015 said property shall be further limited to 30,000 square feet of commercial and 330 residential units in order to maintain an acceptable level of service on the existing roadway network.~~

~~III. Land Use Form~~

~~1. The project shall consist of mixed use and neo-traditional development as such terms are defined in this Comprehensive Plan.~~

~~2. Phasing and mixing of land uses to achieve the above shall be addressed with project approval.~~

~~D.5.13 Ordinance 10-17 (City of Bradenton PA-10-17)~~

~~The 157.1± acre property located on the west side of the Evers Reservoir, east of Lockwood Ridge Road, and north of Honore Avenue, Bradenton, and designated as P/SP(1) Public/Semi Public(1) on the Future Land Use Map, pursuant to Manatee County Ordinance No 10-17 and Comprehensive Plan Amendment No. PA-10-17 shall be limited to an off-line water reservoir.~~

~~D.5.14 Ordinance No. 10-43 (North County Transportation Maintenance PA-10-26).~~

~~The property located on Erie Road 1,200 ± feet northeast of intersection of Martha Road and Erie Road and designated as P/SP (1) Public/Semi Public (1) on the words on the Future Land Use Map pursuant to Manatee County Ordinance No. 10-43 and Comprehensive Plan Amendment PA-10-26 shall be limited to a County-owned highway and roadway maintenance facility, a parks and recreation maintenance site and a well site operated by the Southwest Florida Water Management District (SWFWMD).~~

10. Amendment to Section E, Public Participation:

In order to effectuate appropriate public participation during any major plan revision (periodic comprehensive changes to plan), and during recurrent plan amendments done on a regular schedule, Manatee County shall utilize the following adopted Public Participation Procedures consistent with the requirements of § 163.3181, F.S. ~~and Section 9J-5.004, F.A.C.~~ These procedures are as follows:

E.1 INTRODUCTION

E.1.1. Purpose of Public Participation Procedures

These public participation procedures are developed to meet the requirements of § 163.3181, Florida Statutes (F.S.), ~~and Rule 9J-5.005, Florida Administrative Code (F.A.C.).~~ These sections of the state law and rules require the adoption of a public participation program in order to facilitate adequate and continuing public input, to ensure consideration of public comments submitted, and to provide real property owners with notice of all official actions which will regulate the use of their property.

The purpose of these Public Participation Procedures (PPP) are to provide Manatee County and all interested parties with a description of the various mechanisms by which all functions required of this PPP (by state law and rules), and described above, will be achieved throughout the process of periodic revisions to, or the consideration of proposed amendments to, this Comprehensive Plan. As utilized throughout this section, "revision" of the Comprehensive Plan shall mean any changes to the Comprehensive Plan proposed or adopted as a result of the periodic reevaluation of

the entire Comprehensive Plan as required by § 163.3191, F.S. (see General Data Section of the Technical Support Document). "Amendment" of the Comprehensive Plan shall mean those changes to the Comprehensive Plan which may be considered, or are proposed or adopted on a more regular basis, as specified under § 163.3187, F.S. These procedures do not, however, provide all details regarding opportunities for public comment and input and other public participation mechanisms. For example, the dates on which public hearings and workshops will be held are published only when revisions or amendments are being reviewed. To secure additional information on the dates of public events, and on other aspects of participation in the plan revision process, the staff of the Comprehensive Planning Section of the Manatee County [Building and Development Services Planning](#) Department should be contacted at the following address or telephone number, or other address or telephone number listed in a current reference source (e.g., [County website](#), phone book):

Manatee County [Planning-Building and Development Services](#) Department
1112 Manatee Avenue West - 4th Floor
Bradenton, Florida 34205 (941) ~~749-3070~~[748-4501](tel:748-4501)
www.mymanatee.org

E.1.2 Applicable State Law and Rules

All of the public participation requirements contained in Ch. 163, Part II, F.S. ~~and in Rule 9J-5, F.A.C.~~ are met by the provisions contained in these Public Participation Procedures for ensuring adequate and appropriate public participation in the revision or amendment of the Manatee County Comprehensive Plan, as follows:

E.1.2.1 To encourage and to provide for effective public participation in the comprehensive planning process. [Required by §163.3181(1), F.S. ~~and Section 9J-5.004(1), F.A.C.~~]

E.1.2.2 To assure that real property owners are put on notice, through advertisement in a newspaper of general circulation in the area or other method adopted by the local government, of official actions that will regulate or affect the use of their property. [Required by 163.3181(1), F.S., ~~and Section 9J-5.004(2)(a), F.A.C.~~]

E.1.2.3 To provide for broad dissemination of the proposals and alternatives. [Required by §163.3181(2), F.S.]

E.1.2.4 To assure opportunities for the public to provide written comments. [Required by §163.3181(2), F.S., ~~and Section 9J-5.004(2)(c), F.A.C.~~]

E.1.2.5 To assure that the required public hearings are held. [Required by § 163.3181(2), F.S. ~~and Section 9J-5.004(2)(d), F.A.C.~~]

~~**E.1.2.9** To provide for notice to keep the general public informed during the plan revision process. [Required by § 9J5.004(2)(b), FAC]~~

~~**E.1.2.10** To assure the consideration of and response to public comments on proposals and alternatives, and on the proposed plan. [Required by § 163.3181(2), F.S., ~~and Section 9J-5.004(2)(e), F.A.C.~~]~~

~~**E.1.2.11** To make executive summaries of the Comprehensive Plan available to the general public. [Recommended by Section 9J-5.004(3), F.A.C.]~~

~~**E.1.2.12** To release information at regular intervals during the planning process to keep the citizenry apprised of planning activities. [Required by Section 9J-5.004(3), F.A.C.]~~

E.2 PUBLIC INFORMATION AND COMMENT

E.2.1 Location of Documents and Maps on Proposed Revisions or Amendments

In keeping with the requirements of state law for the broad dissemination of proposals, to provide for communications programs, to provide for information services, and to release information at regular intervals during the planning process, documents will be published during any plan revision or amendment process and will be located, as follows, for viewing by the public. All draft and final Comprehensive Plan or support documents scheduled for discussion or presentation at public workshops or hearings will be provided for public examination at the Manatee County [Building and Development Services Planning](#) Department. During any plan revision process all draft and final Comprehensive Plan and support documents will also be available at the Manatee County Central Library for public examination. Where products are not readily reproduced (e.g., certain maps), a notice shall be placed at the library to inform members of the public that a copy is available at the Manatee County [Building and Development Services Planning](#) Department for review by the public.

E.2.2 Presentations and Responses

E.2.2.1 Meetings

Each [individual or joint](#) meeting of the Planning Commission (PC), ~~of and~~ the Board of County Commissioners (BOCC), ~~or of these bodies held jointly~~, shall be conducted in a manner so as to constitute a presentation of the alternatives, recommendations, and proposals being considered in the plan revision or amendment process to the general public.

Whereas the opportunity for public comment at any workshop of the Planning Commission and the Board of County Commissioners may be provided at the discretion of the Planning Commission and the Board of County Commissioners, the public shall be permitted to address the Planning Commission and the Board of County Commissioners at public hearings held by these bodies. However, whether or not the opportunity is provided for public comment at a meeting or workshop, staff of the Manatee County [Building and Development Services Planning](#) Department shall be available at all workshops/meetings to record and provide informal responses to public comments, inquiries or requests, including any proposals or objections. For any plan revision, an official record of public comments, inquiries, or requests may be made at the request of the party making such recommendation of comment, using forms provided by Manatee County for that purpose. An official response to each such public comment, request or inquiry may also be recorded on the form.

E.2.2.2 Personal

During the course of any plan revision or plan amendment process, any person representing him or herself, or representing a property owner or organization in Manatee County may present comments, requests, or inquiries through the staff of the Comprehensive Planning Section of the Manatee County [Building and Development Services Planning](#) Department. This opportunity for personal comment and requests from members of the public outside of scheduled workshops and hearings is provided to facilitate the receipt and consideration of written comments from the public, and to facilitate the County's response to such comments. During the plan revision process, comments, inquiries, and requests received from persons may also be recorded, at the request of the person making such recommendation or comment, on forms provided by Manatee County for this purpose. A response to each comment, inquiry, or request may also be recorded on each form.

E.2.3 Format for Public Inquiries, Comments, and Requests

E.2.3.1 Methods

Any interested person may submit an inquiry, comment, or request by any one or more of the following means:

- * By telephone conversation with a member of staff of the Comprehensive Planning Section of the Manatee County [Building and Development Services Planning Department](#) at (941) ~~748-4501749-3070~~, ~~Fax (941) 749-3071~~.
- * By direct communication (in person) with any of the personnel at, or by written transmittal to:

Manatee County [Planning Building and Development Services Department](#)
P.O. Box 1000
1112 Manatee Avenue West
Bradenton, Florida 34206
(or other current address)

E.2.3.2 Official Record

In order to ensure that relevant public comments, requests, and inquiries concerning the comprehensive plan revision or amendment are recorded, considered, and provided a response, a form may be completed by the staff of the Comprehensive Planning Section of the Manatee County [Building and Development Services Planning Department](#) receiving each public comment, and such forms shall constitute an official public record of any such public comments received during the plan revision process. Comments, inquiries, and requests which are presented verbally during public workshops and hearings may also be transcribed onto such forms to constitute a formal record of public comment, and to assure that a response is made to each such comment. However, a person's written transmittal shall remain the principal instrument of public comment.

E.3 WORKSHOPS AND HEARINGS

E.3.1 Requirements for Public Notice

Various workshops and public hearings are to be conducted during any Comprehensive Plan revision or amendment process, and the Manatee County [Building and Development Services Planning Department](#) will provide appropriate public notice for each such workshop and hearing. For each public workshop or hearing of the Local Planning Agency (LPA) and the Board of County Commissioners (BOCC) on proposed amendments or revisions to the Comprehensive Plan, the following procedures for public notice for the workshop or hearing will be followed. Additional public notice procedures may be followed where appropriate.

E.3.1.1 Optional Public Notice - LPA Public Workshops and Board of County Commissioners Public Workshop on Revisions

- * A statement of the date, time and place of the public workshop, and the address and telephone number of the Comprehensive Planning Section of the Manatee County [Building and Development Services Planning Department](#) to be contacted for additional information, or for submittal of comments for consideration.

E.3.1.2 Public Notice - LPA Public Hearings on Plan Revisions To include:

- * Mailed Notices for General Purposes: Transmittal, by first class mail, and by the Manatee County Building and Development Services Planning Department, of a notice for the public hearing to all individuals, organizations, and businesses whose names and addresses appear on the "Comprehensive Plan Notification Mailing List" currently maintained by the Manatee County Planning Building and Development Services Department. Such mailed notice will contain information on the date, time, and place of the hearing. The mailed notice will also indicate the Commission conducting the hearing, and will describe the general purpose of the hearing. The mailed notice shall also contain the address and telephone number of the Comprehensive Planning Section of the Manatee County Building and Development Services Planning Department to be contacted for additional information, or for submittal of comments for consideration. Mailed notices will be transmitted at least five (5) days prior to the date of the hearing.

The newspaper advertisements shall contain, at a minimum, the following information:

- * A listing of the address and telephone number of the appropriate section of the Building and Development Services Planning Department to be contacted for additional information, or for submittal of comments for consideration.

E.3.1.3 Public Notice - LPA Public Hearings on Plan Amendments To include:

- * Mailed Notices to Property Owners: The mailing of notices, when applicable, to all owners of real property located within any area proposed for change on the Future Land Use Map, excluding any property owner submitting the request for amendment of the Map. These notices shall be mailed no later than ten (10) days prior to the hearing date, to the owner identified by reference to the latest available ad valorem tax records. These notices shall include information describing the nature of the proposed change, identifying the public hearing as being conducted by the Local Planning Agency (Name) and that such hearing is required by state law, identifying the date and location of the public hearing, and containing an address and telephone number of the appropriate section of the Building and Development Services Planning Department to be contacted for additional information, or for submittal of comments for consideration. These notices may also serve as the notices required by 5.a) below.
- * Newspaper Advertisements: Publication of two advertisements as described in E.3.1.2 III A.2.b) above.

E.3.1.4 Public Notice - Board of County Commissioners Public Hearings on Plan Revisions

To include:

- * Mailed Notices for General Purposes: Mailing of notices as described in E.3.1.2 III A.2.a) above.
- * Newspaper Advertisements [see § 163.3184(15), F.S.]: Publication, in a standard or tabloid size newspaper of general paid circulation in the county, which is published at least 5 days per week, and is of general interest and readership.

Advertisements shall be a width of 2 columns and a length of 10 inches, with the following format, content, and schedule of publication:

E.3.1.5 Public Notice - Board of County Commissioners Public Hearings on Plan Amendments

To include:

- * Mailed Notices to Property Owners: The mailing of notices, when applicable, as described in [E.3.1.2H.A.3.a](#) above. These notices may also serve as notices required by [E.3.1.13.a](#) above.
- * Newspaper Advertisements [see § 163.3184(15), F.S.]: Publication of newspaper advertisements as described in [E.3.1.2H.A.4.e](#) above.
- * Announcement, at the transmittal-stage hearing, of the intention to hold and advertise a second public hearing at the adoption stage.

E.3.2 Required and Optional Workshops and Hearings

E.3.2.1 Number of Workshops and Hearings

- * Local Planning Agency.

The Local Planning Agency (LPA) shall hold workshops and hearings as follows:

- * ~~At least one workshop for the consideration of any plan revision.~~
