

B.O.C.C. 01/09/01

APPROVED IN OPEN SESSION

JAN 09 2001

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA**ORDINANCE 01-10 - ACCESS POINTS TO UNIVERSITY PARKWAY.**  
**(Formerly known as Ordinance 00-61)**

Request: Approval of an amendment to the Manatee County Land Development Code, Section 741.3.2., amending the number and location of access points to University Parkway.

App Received: 05/04/00 , D.R.C.: 06/21/00  
P.C.: 12/07/00 B.O.C.C.: 12/19/00 & 01/09/01

**RECOMMENDED MOTION:**

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, I move to ADOPT Manatee County Ordinance No. 01-10 (formerly known as Ordinance 00-61), amending Ordinance 90-01, the Manatee County Land Development Code, as recommended by staff.

**PLANNING COMMISSION ACTION:**

On December 7, 2000, by a vote of 5 - 2 (Ms. Sheppard and Mr. Orenstein voting nay) the Planning Commission recommended ADOPTION of Ordinance 00-61.

**BOARD OF COUNTY COMMISSION ACTION:**

On December 19, 2000, the Board of County Commissioners held the first of two required public hearings for this item. No action was required.

**PUBLIC COMMENT/CORRESPONDENCE:**

There was no public comment and no correspondence was entered into the record for this case at the December 7, 2000 Planning Commission public hearing.

There was no public comment and no correspondence was entered into the record for this case at the December 19, 2000 Board of County Commissioners public hearing.

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# CASE SUMMARY

**CASE NO.:** Ordinance 01-10 (Formerly known as Ordinance 00-61)

**APPLICANT:** County Initiated

**REQUEST:** To amend Section 741.3.2 of the Land Development Code regarding the number and location of access points to University Parkway.

**STAFF RECOMMENDS:** APPROVAL

## SUMMARY: ( LK )

The request is to amend Section 741.3.2 of the Land Development Code to:

1. Add one additional right turn intersection within the segment of University Parkway between Tuttle Avenue and Lockwood Ridge Road, and,
2. Move the right turn intersection currently permitted within the segment of University Parkway between Conservatory Drive and Honore Avenue approximately 110 feet eastward.

## POSITIVE ASPECTS OF THE APPLICATION

- The additional right turn intersection between Tuttle Avenue and Lockwood Ridge Road will assist in channeling traffic away from the intersections of Tuttle Avenue and Lockwood Ridge Road with University Parkway. The Tuttle Avenue and Lockwood Ridge Road intersections are open through the median and the proposed right turn intersection will result in better traffic flow.
- The relocation of the right turn intersection between Conservatory Drive and Honore Avenue will improve the alignment with and service to adjacent land uses.
- The proposed additional right turn intersection, and the relocation of the right turn intersection are consistent with the right turn intersections identified within the Interlocal Agreement for University Parkway with Sarasota County.

### **NEGATIVE ASPECTS OF THE APPLICATION**

- **An increased number of access points to University Parkway may increase the number of conflicting traffic movements on University Parkway.**

### **MITIGATING FACTORS**

- **Installation of adequate traffic control features (signs, acceleration and deceleration lanes, paint striping, etc.) will ensure adequate control of traffic movements concerning ingress and egress to University Parkway.**

# DETAILED CASE REVIEW

## PRIMARY REVIEWERS

Leon Kotecki (PD)	Compatibility, Timing, Consistency with LDC and Comp Plan, Site Design
Al Wallace (PD)	Impacts to Infrastructure (Public Utilities & Facilities)
Jerome Gostkowski (PD) Husham Al-Kaisy	Impacts on Infrastructure (Transportation, Concurrency)

## DETAILED STAFF REVIEW

The proposed amendment would amend the language within the Land Development Code as to the number and location of right-turns allowed within segments of University Parkway.

One additional right turn intersection is proposed within a segment of University Parkway (on the north side of the road) between Tuttle Avenue and Lockwood Ridge Road, and, a right turn intersection currently permitted between Conservatory Drive and Honore Avenue is proposed to be moved approximately 110 feet to the east. (see Attachment 1, Exhibit A, Pages 2 and 3).

The additional right turn intersection will assist in channeling traffic away from the Tuttle Avenue and Lockwood Ridge Road intersections with University Parkway, both of which are full movement intersections and have an opening through the median, and may result in better traffic flow. The relocation of the right turn intersection permitted between Conservatory Drive and Honore Avenue will improve alignment with and service to adjacent land uses to the north.

The proposed amendment language and amended maps (See Attachment 1, Exhibit A, Pages 4 and 5) clarify the number and location of right turn intersections allowed within segments of University Parkway, and are consistent with right turn intersections identified within the Interlocal Agreement for University Parkway between Manatee and Sarasota Counties.

The proposed amendments to Section 741.3.2 of the Land Development Code are presented in underline = added text, cross through = deleted text, as follows:

### 741.3.2. Provisions:

- **Cross Access Easement:** When vehicular traffic is projected to exceed seventy-five (75) vehicle trips per day on the subject property, a thirty (30) foot wide vehicular cross access easement(s) to adjacent parcels shall be granted to adjoining property owners and the public in a location acceptable to the Manatee County Planning Department.
- **Median Opening Intersection:** Median Opening Intersections shall be allowed only at the following University Parkway intersections:

Kentucky/28th Street Court East

Shade Avenue

Tuttle Avenue

Lockwood Ridge Road

Conservatory Drive

Whitfield Avenue

DeSoto Road/Park Boulevard (extension through Longwood Run Development, former McIntosh Road)

Saunders Road (extension)

Honore Avenue

Cooper Creek Road/Brown Road

or as otherwise approved by the Board

*Median Opening Intersections*, are limited to a minimum average of one-half (1/2) mile spacing.

- *Right Turn Intersections*: Right Turn Intersections shall include adequate deceleration and acceleration traffic lanes upon University Parkway.

Right Turn Intersections Prohibited:

Between Interstate 75 and State Road 70,

Right Turn Intersections shall not be permitted; and Projects shall provide a thirty-foot wide vehicular cross-access easement or frontage road to adjoining parcels, generally to run parallel to University Parkway.

Right Turn Intersections shall be a minimum of six hundred and sixty (660) feet from a Median Opening Intersection or another Right Turn Intersection.

One A Right Turn Intersection shall be permitted within each area as indicated below,

1. Between US 301 and Shade Avenue. None
2. Between Shade Avenue and Tuttle Avenue 1,001 feet west of the west right-of-way line of Tuttle Avenue and equally positioned on a north/south property line.

3. Between Tuttle Avenue and Lockwood Ridge Road beginning at seven hundred (700) feet west of the west right-of-way line of Lockwood Ridge Road and extending an additional two hundred twenty-eight (228) feet westward.
4. Between Tuttle Avenue and Lockwood Ridge Road beginning at eight hundred (800) feet east of the centerline of Tuttle Avenue and extending an additional two hundred (200) feet eastward.
- 4.5. Between Lockwood Ridge Road and Conservatory Drive beginning at eight hundred sixty-five (865) feet west of the east right-of-way line of Lockwood Ridge Road and extending an additional four hundred thirty (430) feet eastward.
- 5.6. Between Conservatory Drive and Honore Avenue beginning at one thousand ~~two one hundred fifty forty~~ (1,140) feet west of the centerline of Honore Avenue and extending an additional ~~two one hundred~~ (100) feet westward.
- 6.7. Between Honore Avenue and I-75 beginning at eight hundred fifty (850) feet east of the centerline of Honore Avenue and extending an additional two hundred (200) feet eastward.

- Temporary Right Turn Intersections:

A new single Temporary Right Turn Intersection, approved after January 1, 1994, for any parcel shall be permitted until the traffic generated by the development exceeds seventy-five (75) vehicles per day based on latest edition of the Institute of Transportation Engineers' Trip Generation Manual.

- Discontinuation of use:

Temporary Right Turn Intersections shall be eliminated when access becomes available to a Median Opening Intersection, Right Turn Intersection, or by a vehicular cross access easement to the above.

**ATTACHMENTS:**

1. Ordinance 01-10
2. Interlocal Agreement for University Parkway between Manatee County and Sarasota County.

**AMENDMENT #3 TO THE INTERLOCAL AGREEMENT FOR  
UNIVERSITY PARKWAY BETWEEN MANATEE COUNTY AND  
SARASOTA COUNTY**

**WHEREAS**, Manatee County and Sarasota County entered into the Interlocal Agreement for University Parkway on December 3, 1991, and,

**WHEREAS**, the Interlocal Agreement for University Parkway was entered into by both counties for the purposes of providing an overall plan for construction of improvements to University Parkway, and providing for coordinated planning through preparation of a bi-county corridor study regarding mutually agreed upon issues, and,

**WHEREAS**, University Parkway has been reconstructed and improved to a six-lane facility from New U.S. 301 to Interstate Highway 75, and the bi-county corridor study has been completed, and,

**WHEREAS**, in order to improve the north-south traffic circulation patterns in the area and provide adequate access to properties adjacent to University Parkway, it is the desire of Manatee County and Sarasota County to designate and approve new permanent right turn in/right turn out intersections on University Parkway, and,

**WHEREAS**, the maintaining of superior through traffic patterns on University Parkway continues to be an objective of both counties, but a certain limited number of right turn in and right turn out intersections may be beneficial to overall traffic patterns, and,

**WHEREAS**, the adopted Interlocal Agreement for University Parkway, Amendment #1 to the Interlocal Agreement for University Parkway, adopted May 3, 1994, and Amendment #2 to the Interlocal Agreement for University Parkway, adopted September 14, 1999, set forth access limitations and identify approved street intersections and permanent right turn in/right turn out intersections, and,

**WHEREAS**, a need has been identified to improve the traffic circulation pattern and provide adequate access to properties adjacent to University Parkway by addition of certain permanent right turn in/right turn out intersections.

**NOW, THEREFORE**, in consideration of the mutual covenants and obligations contained herein, the County of Manatee and the County of Sarasota, agree as follows: Table 2 and Figures 1 and 2 of the Interlocal Agreement for University Parkway, adopted December 3, 1991, and as amended on May 3, 1994, and September 14, 1999, which amendments to said Agreement are hereby ratified by the parties, are hereby amended as shown in Exhibit 1 attached hereto and incorporated herein by reference. In the event that either county has more restrictive provisions in any county ordinance, comprehensive plan, or land development regulations relating to access onto University Parkway, then such ordinances, comprehensive plan, or land development regulations shall prevail. This amendment shall become effective upon adoption by both parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this amendment to the Interlocal Agreement for University Parkway to be executed by their respective undersigned, duly authorized officers, attested to by their respective clerks, and their official seals affixed, as of the dates set forth below.

ADOPTED, in open session with a quorum present and voting this 3 day of October 2000.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: [Signature]  
Chairman

ATTEST:

R. B. "Chips" Shore  
Clerk of Circuit Court



By: [Signature]

ADOPTED, in open session with a quorum present and voting this 8<sup>th</sup> day of November 2000.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

By: [Signature]  
Chairman

ATTEST:

Karen Rushing  
Clerk of Circuit Court

By: [Signature]

[Signature]  
County Attorney



TABLE 2

Approved Permanent Right Turn Intersection  
Locations with University Parkway

I. Between U.S. 301 and Shade Avenue

South Side

Beginning at 660 feet west of the west right-of-way line of Shade Avenue and extending an additional 680 feet westward.

North Side

None.

II Between Shade Avenue and Tuttle Avenue

South Side

1. Beginning at 660 feet east of the east right-of-way line of Shade Avenue and extending an additional 680 feet eastward.
2. Beginning at 660 feet west of the west right-of-way line of Tuttle Avenue and extending an additional 680 feet westward.

North Side

1001 feet west of the west right-of-way line of Tuttle Avenue and equally positioned on a north/south property line.

III Between Tuttle Avenue and Lockwood Ridge Road

South Side

1. Within an area 125 feet in length, centered at 660 feet east of the right-of-way line for Tuttle Avenue.
2. Traylor Avenue.

North Side

1. Beginning at 700 feet west of the west right-of-way line of Lockwood Ridge Road and extending an additional 228 feet westward.
2. Beginning at 800 feet east of the centerline of Tuttle Avenue and extending an additional 200 feet eastward.

IV Between Lockwood Ridge Road and Conservatory Drive

South Side

1. Beginning at 1229 feet east of the east right-of-way line of Lockwood Ridge Road and extending an additional 75 feet eastward.

2. 1975 feet east of the east right-of-way line of Lockwood Ridge Road and equally positioned on a north/south property line.

North Side

Beginning at 865 feet east of the east right-of-way line of Lockwood Ridge Road and extending an additional 430 feet eastward.

V Between Conservatory Drive and Honore Avenue

South Side

1. Beginning at 800 feet east of the centerline of Whitfield Avenue extended southward across University Parkway and extending an additional 400 feet eastward.
2. Center Ring Road.

North Side

Beginning at ~~1250~~ 1140 feet west of the centerline of Honore Avenue and extending an additional ~~200~~ 100 feet westward.

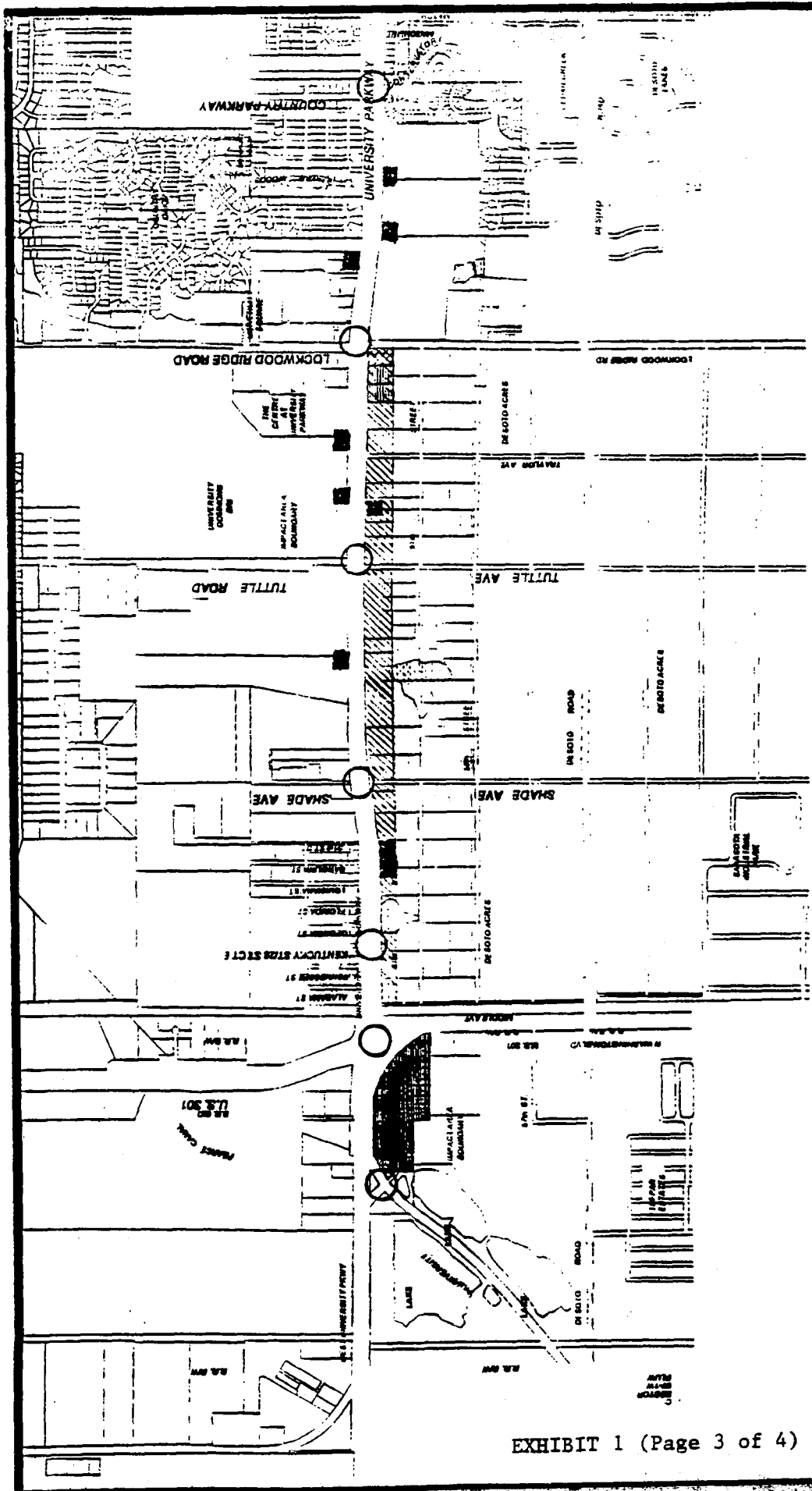
VI Between Honore Avenue and I-75

South Side

Beginning at 660 feet east of the east right-of-way line of Honore Avenue and extending an additional 200 feet eastward.

North Side

Beginning at 850 feet east of the centerline of Honore Avenue and extending an additional 200 feet eastward.



# Access Management for University Parkway Figure 1 - West

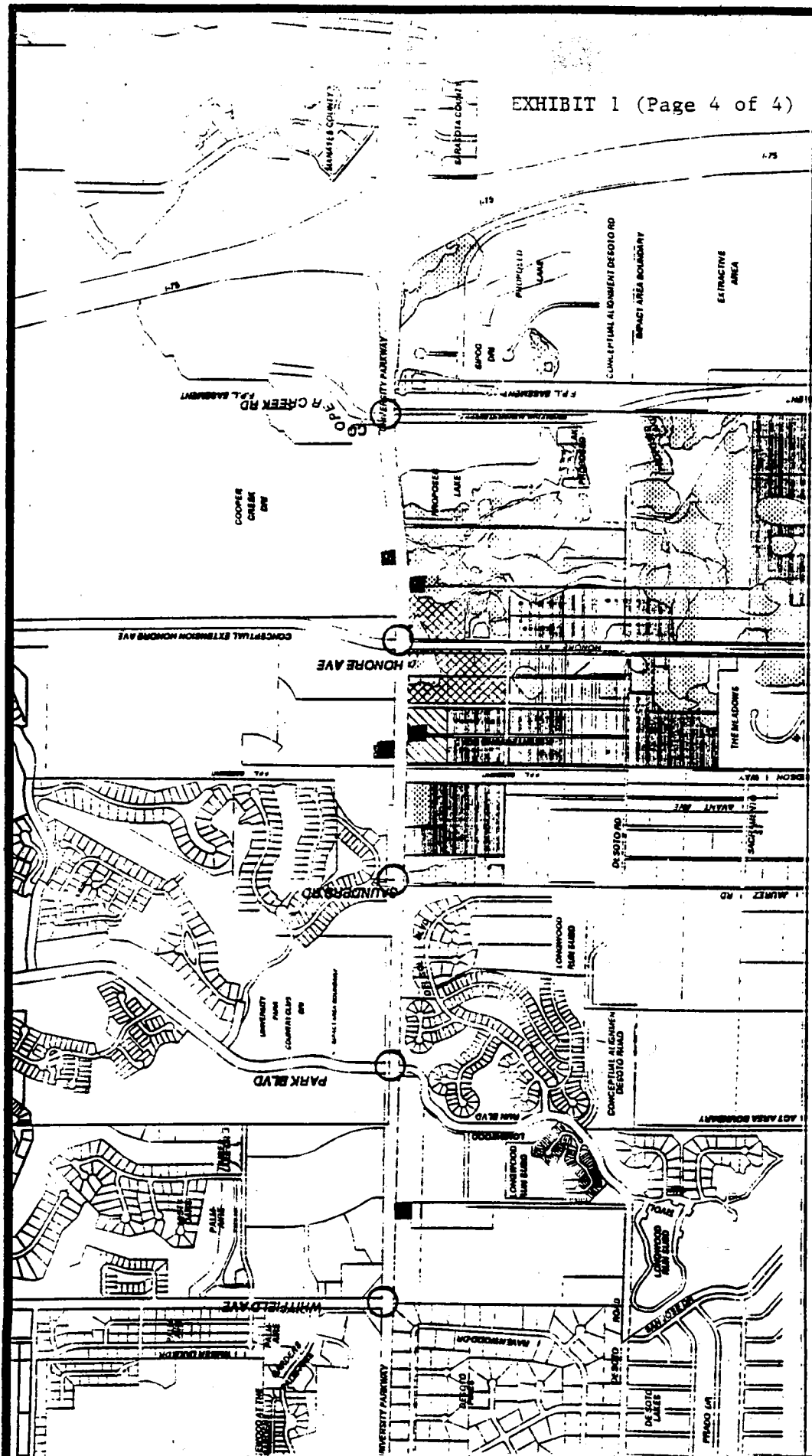
Prepared by:  
 The City of West Chester, Ohio  
 Office of Planning and Development  
 1000 University Parkway  
 West Chester, Ohio 41081  
 Date: September 26, 2000



Access Roads Local Service

Median Opening Intersections

Right Turn In/Right Turn Out Intersections  
 (See text for location and dimensions)



# Access Management for University Parkway Figure 2 - East

- Median Opening Intersections
- Right Turn In/Right Turn Out Intersections  
(See text for location and dimensions)

Access Roads Local Service



1 inch = 1000'

As shown on this map, the proposed University Parkway alignment is shown in black. The proposed alignment is shown in black. The proposed alignment is shown in black. The proposed alignment is shown in black.

Map Created September 26, 2000

**ORDINANCE 01-10**  
**(formerly known as Ordinance 00-61)**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FLORIDA AMENDING SECTION 741.3 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED): AMENDING THE NUMBER AND LOCATION OF ACCESS POINTS TO UNIVERSITY PARKWAY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Manatee County, Florida, is authorized under Chapters 125 and 163, Florida Statutes, to enact zoning and other land development regulations to protect the health, safety, and welfare of the citizens of Manatee County, Florida, and;

**WHEREAS**, Sections 163.3201, 163.3202, and 163.3213, Florida Statutes, empowers and requires the Board of County Commissioners of Manatee County, Florida to implement adopted comprehensive plans by the adoption of appropriate land development regulations and specifies the scope, content and administrative review procedures for said regulations; and

**WHEREAS**, Section 163.3202, Florida Statutes, further provides that certain specified and mandated regulations are to be combined and compiled into a single land development code for the jurisdiction; and

**WHEREAS**, the Manatee County Planning Commission has been established pursuant to Manatee County Ordinance 90-01, as amended, and in accordance with Sections 302 and 503 of said ordinance and Section 163.3194(2), Florida Statutes, is required to review proposed amendments to the Manatee County Land Development Code after holding a public hearing on the matter, make its recommendations to the Board of County Commissioners; and

**WHEREAS**, the Manatee County Planning Commission, has reviewed this amendment to the above cited Codes altering it partially in order to more adequately address and prepare for Manatee County's future development and growth and implement the Manatee County Comprehensive Plan; and

**WHEREAS**, the Manatee County Planning Commission held a public hearing session on December 7, 2000 on the above cited amendments with due public notice having been provided, and having reviewed and considered all comments received during said public hearing, including the staff comments and reports, recommended said amended version of the Manatee County Land Development Code as being consistent with the adopted Manatee County Comprehensive Plan and meeting the requirements of Sections, 163.3202(2) and 163.3213(1) and (2), Florida Statutes; and

**WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, and the provisions of the Sections 502 and 503 of the Manatee County Land Development Code, on December 19, 2000, and January 9, 2001, the Board of County Commissioners of Manatee County held public hearings, with due public notice having been provided, to consider proposed amendments to the above referenced Land Development Code; and

**WHEREAS**, the Board of County Commissioners further considered all oral and written comments, including staff reports and studies received, during said public hearings along with the specific recommendations of the Planning Commission; and

**WHEREAS**, in exercise of said authority the Board of County Commissioners of Manatee County, Florida, has determined it necessary and desirable to amend and revise in part the Manatee County Land Development Code in order to implement the Manatee County Comprehensive Plan and meet its responsibilities under Florida Statutes to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within Manatee County; and

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

Section 1. Purpose and Intent. This ordinance is enacted to carry out the purpose and intent of and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Title of Land Development Code. The amendments to the Land Development Code for the County of Manatee, Florida, attached hereto as Exhibit "A".

Section 3. Amendment of Existing Land Development Code. This ordinance hereby amends and revises the Manatee County Land Development Code, also known as Manatee County Ordinance 90-01, as amended, as shown on Exhibit "A" attached hereto and incorporated herein by reference.

Section 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 5. Copy on File. A codified copy of the Land Development Code, as amended, shall be filed in the office of the Director of the Planning Department of the County of Manatee as soon as reasonably possible after adoption of this ordinance. The Planning Director shall also make copies available to the public for a reasonable publication charge.

Section 6. Effective Date. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

**PASSED AND DULY ADOPTED**, with a quorum present and voting, by the Board of County Commissioners of the County of Manatee, Florida this the 9<sup>th</sup> day of January, 2001.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By:   
Chairman

*signed in own*

ATTEST: R. B. SHORE  
Clerk of the Circuit Court

By: \_\_\_\_\_

EXHIBIT "A"

Ordinance 01-10  
LDC Text and Maps Amendments

The following sections of the Manatee County Land Development Code  
are amended as follows:

741.3.2. Provisions:

- Cross Access Easement: When vehicular traffic is projected to exceed seventy-five (75) vehicle trips per day on the subject property, a thirty (30) foot wide vehicular cross access easement(s) to adjacent parcels shall be granted to adjoining property owners and the public in a location acceptable to the Manatee County Planning Department.
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- 4.5. Between Lockwood Ridge Road and Conservatory Drive beginning at eight hundred sixty-five (865) feet west of the east right-of-way line of Lockwood Ridge Road and extending an additional four hundred thirty (430) feet eastward.
- 5.6. Between Conservatory Drive and Honore Avenue beginning at one thousand ~~two one hundred fifty~~ fourty (~~1,250~~) (1,140) feet west of the centerline of Honore Avenue and extending an additional ~~two one hundred~~ (~~200~~) (100) feet westward.
- 6.7. Between Honore Avenue and I-75 beginning at eight hundred fifty (850) feet east of the centerline of Honore Avenue and extending an additional two hundred (200) feet eastward.

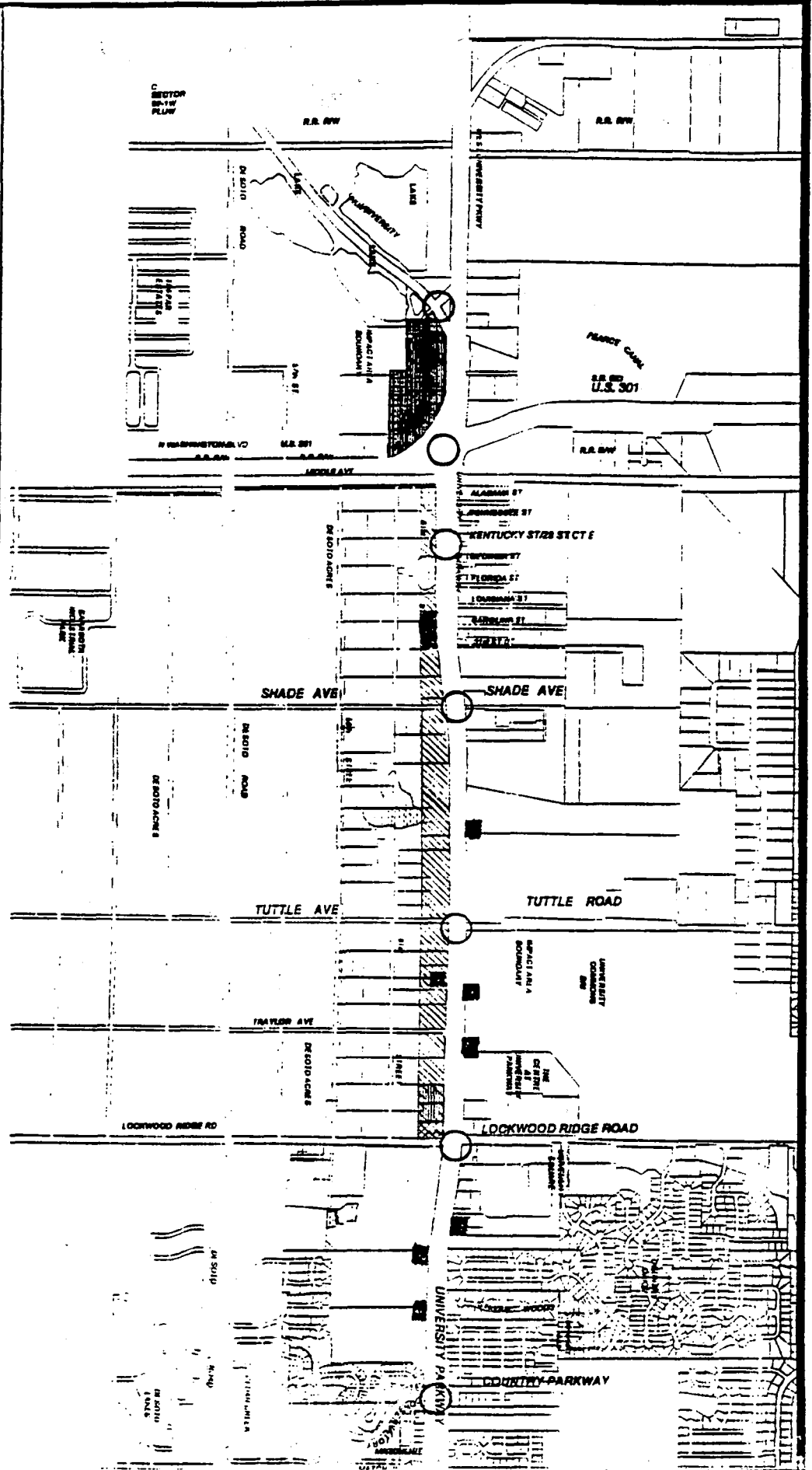


- Temporary Right Turn Intersections:

A new single Temporary Right Turn Intersection, approved after January 1, 1994, for any parcel shall be permitted until the traffic generated by the development exceeds seventy-five (75) vehicles per day based on latest edition of the Institute of Transportation Engineers' Trip Generation Manual.

- Discontinuation of use:

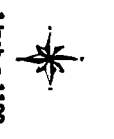
Temporary Right Turn Intersections shall be eliminated when access becomes available to a Median Opening Intersection, Right Turn Intersection, or by a vehicular cross access easement to the above.



# Access Management for University Parkway Figure 1 - West

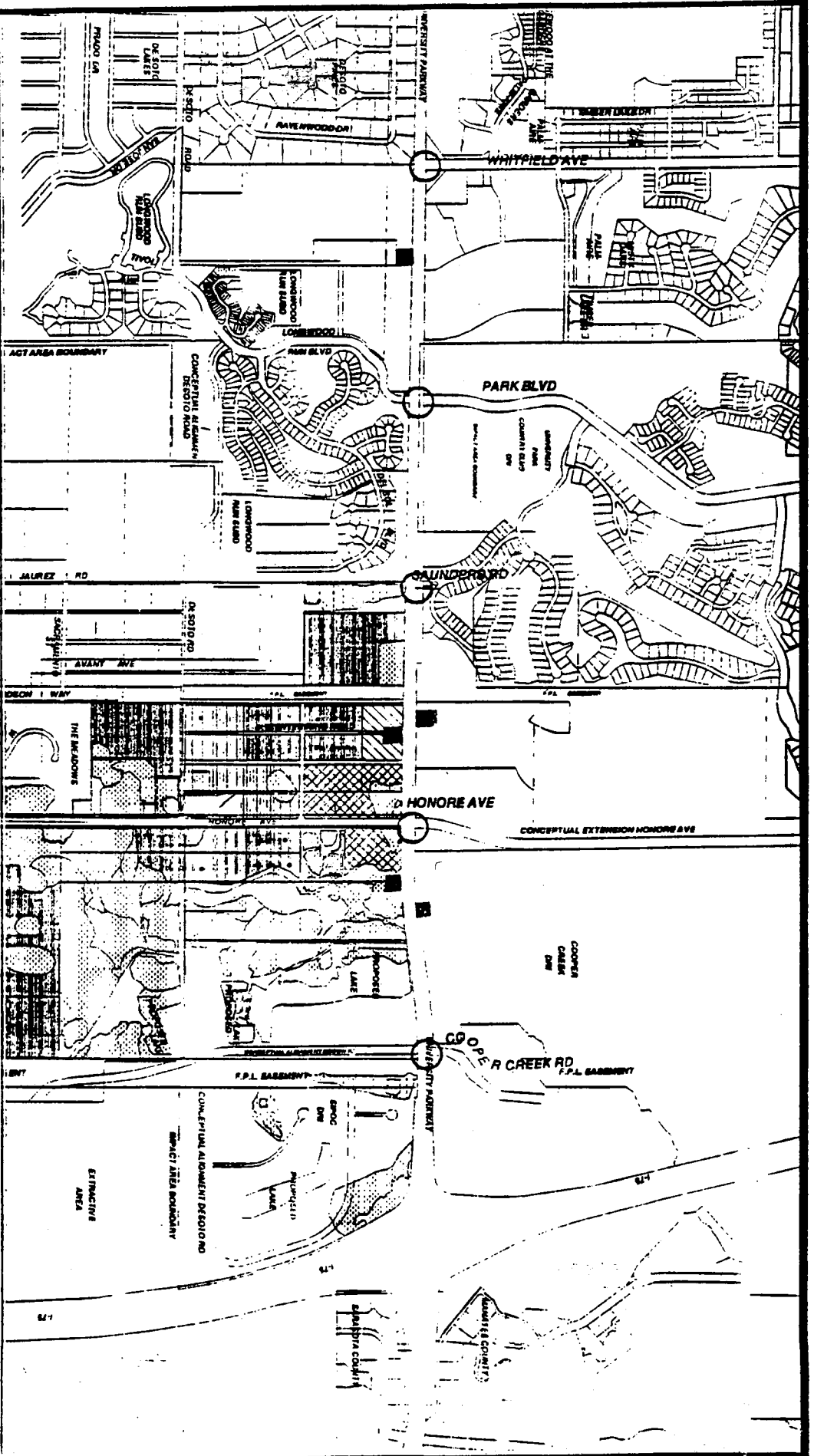
- Median Opening Intersections
- ⊗ Right Turn In/Right Turn Out Intersections  
(See text for location and dimensions)

Access Roads Local Service  
EXHIBIT 1 (page 4 of 5)



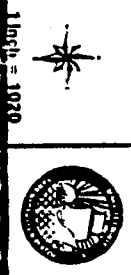
Prepared by:  
 The Road & Transportation Planning of University  
 System, in cooperation with the University of Kentucky  
 Highway Department, and the University of Kentucky  
 Map Printed September 29, 2000

1 inch = 1100'



**Access Management for University Parkway Figure 2 - East**

- Median Opening Intersections
  - Access Roads Local Service
  - ⊓ Right Turn In/Right Turn Out Intersections
  - ⊓ EXHIBIT 1 (page 5 of 5)
- (See text for location and dimensions)



Approved by: [Signature]  
 Date: [Date]  
 Title: [Title]  
 Project: [Project Name]

Map Prepared September 28, 2000