



## MANATEE COUNTY FLORIDA

September 7, 2017

Department of Economic Opportunity  
Ray Eubanks, Plan Processing Administrator  
State Land Planning Agency  
Caldwell Building  
107 East Madison – MSC 160  
Tallahassee, Florida 32399-2100

**RE: Plan Amendment PA-17-05/Ordinance 17-34 – Privately Initiated Text Amendment Schroeder-Manatee Ranch, Inc. DTS20170193**

Dear Mr. Eubanks:

Manatee County hereby submits for review one (1) proposed 2017 plan amendment to the Manatee County Comprehensive Plan. This amendment was approved for transmittal by the Manatee County Board of County Commissioners at a public hearing session held on September 7, 2017. A second public hearing shall be held within 180 days after the receipt of comments from the State Land Planning Agency.

**Text Amendment:**

Transmittal of an Amendment to the Manatee County Comprehensive Plan remove specific requirements under the Future Land Use Designation of MU-C (Mixed Use – Community) and the associated subareas of MU-C. The subareas affected are MU-C/AC-1 (Activity Center Level 1), MU-C/AC-2 (Activity Center Level 2); and MU-C/AC-3 (Activity Center Level 3); and modification of Specific Property-Development Conditions, D.5.6 [Ordinance 09-12 (PA-09-06)] of the Future Land Use Element of the Manatee County Comprehensive Plan.

Enclosed are three (3) copies (2 CD's, 1 hard copy) of the Comprehensive Plan amendment and supporting documents, data and analysis, and one copy of each item as specified under Florida Statute 163.314(4)(b) and transmitted in accordance with Florida Statute 163.3184(3)(b)1, for review by the Department of Economic Opportunity.

**Manatee County requests an “Expedited Review” of this amendment by all State agencies as outlined in Florida Statute 163.3184(3)(b)1.** This amendment package has also been transmitted to the Florida Department of Environmental Protection, Southwest Florida Water Management District, Florida Department of Transportation, Tampa Bay Regional Council,

Board of County Commissioners  
1112 Manatee Avenue West, Bradenton, FL 34205  
[www.myanatee.org](http://www.myanatee.org) \* Phone: 941.745.3700 \* FAX: 941.745.3790

Department of State, Bureau of Historic Preservation, Florida Fish & Wildlife Conservation Commission and Department of Agriculture & Consumer affairs.

The proposed amendment is not being adopted pursuant to joint planning agreement nor is the amendment located within an area of critical state concern or Resource Planning and Management Area.

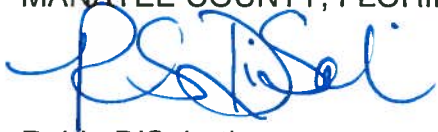
Any questions you may have concerning the proposed plan amendment may be directed to Branden Roe, Planner, at the address, telephone number, or e-mail listed below.

Manatee County Building and Development Services Department  
Attn: Stephanie Moreland, Principal Planner  
Comprehensive Planning Division/Public Hearings  
1112 Manatee Avenue West, 4<sup>th</sup> Floor  
Bradenton, FL 34205  
Telephone: (941) 748-4501, ext. 3880  
[Stephanie.moreland@mymanatee.org](mailto:Stephanie.moreland@mymanatee.org)

Thank you for your assistance and cooperation.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA



Robin DiSabatino,  
1<sup>st</sup> Vice Chairman

Enclosures

September 7, 2017 - Land Use Meeting  
Agenda Item #11

Subject

PA-17-05/Ordinance 17-34 - Schroeder-Manatee Ranch, Inc. - 20170193 - MEPS682 - Legislative - Stephanie Moreland, Principal Planner

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Presenter:

Stephanie Moreland, Principal Planner, 941-748-4501 ext. 3880

Contact:

Bobbi Roy, Planning Coordinator, 941-748-4501 ext. 6878

**APPROVED** in Open Session  
**September 7, 2017**  
Manatee County Board of County  
Commissioners

Action Requested

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 in compliance with the provisions of Chapter 163, Part II, Florida Statutes, and consistent with the Manatee County Comprehensive Plan, I move to transmit Plan Amendment PA-17-05, as recommended by the Planning Commission.

(Commissioner Baugh)

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Chapter 163, Part II, Florida Statutes

Background Discussion

- Ms. Darena Marvin, agent for Shroeder-Manatee Ranch requests a Text Amendment as follows:

a) To remove specific requirements under the Future Land Use Designation of MU-C (Mixed Use-Community) and the associated subareas of MU-C. The subareas affected are MU-C/AC-1 (Activity Center Level 1), MU-C/AC-2 (Activity Center Level 2); and MU-C/AC-3 (Activity Center Level 3); and

b) Modification of Specific Property-Development Conditions, D.5.6 [Ordinance 09-12 (PA-09-06)] of the Future Land Use Element of the Manatee County Comprehensive Plan to allow flexibility to trade-off among all residential unit types, including multi-family.

- The MU-C and associated subareas were newly created future land use designations in 2009 (PA-09-06).
- The MU-C requires that there also be Sub Areas identified on the Future Land Use Map (FLUM).
- The subject property has identified Sub Areas of AC-1, AC-2, AC-3 and R (Residential).
- Policies within the Plan set out specific parameters for Sub Areas such as a minimum size and a maximum distance between them. The result is that almost every intersection of major roadways in this area has an Activity Center. The premise was that residents could easily walk to and from work, recreational needs, retail needs or even schools. The problem that has arisen in trying to develop these Activity Centers is that the market demand for the non-residential needs in such close proximity to each other is simply not there. Rather than mandate the development of Activity Centers, the applicant requests that the areas identified on the FLUM be listed or noted as a potential rather than mandatory.
- The requested modifications afford more flexibility throughout the area by removing required distance between activity centers, the required minimum number of dwelling units and minimum size of activity centers.
- The request also removes a provision in MU-C pertaining to limiting the amount of residential until non-residential development has commenced. This requirement to have non-residential development tied to a number of residential units was removed from the Introduction Element Section D, Special Plans Interpretive Provisions (D.5 Specific Property – Development conditions) of the Comprehensive Plan (PA-15-01/D.5.6-Ordinance 09-12 (PA-09-06).
- In 2009, the original proposal to establish new future land use designations were reviewed by the Department of Community Affairs (DCA) under section 9J-5 of the Florida Administrative code. That section has since been repealed and amendments are no longer subject to those rules. The purpose of the original requirement was to achieve the appropriate jobs to housing balance and reduce vehicle miles traveled.
- Staff recommends approval.
- On August 10, 2017, by a vote of 5 – 0, the Planning Commission recommended approval. Mr. Rahn and Mr. Rutledge were absent.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk reviewed and responded by emails to Matter 2017-0372 on July 10 & 18, 2017.

Reviewing Attorney

Schenk

Instructions to Board Records

Please forward the original signed letter to the Florida Department of Economic Opportunity to Bobbi Roy/Building and Development Services.

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Staff Report - PA-17-05 - Ord. 17-34 - SMR Comp Plan Amendment 9-7-2017 BCC.pdf](#)

Attachment: [1 - Newspaper Advertising 9-7-2017 BCC.pdf](#)

Attachment: [2 - Applicant's revised narrative-REV 7.12.17 for 9-7-2017 BCC.pdf](#)

Attachment: [3 - Draft Ordinance 17-34 - PA-17-05 - Schroeder Manatee Ranch Inc. 9-7-2017 BCC .pdf](#)

Attachment: [4 - Transmittal Letter for DEO for 9-7-2017 BCC.pdf](#)

**PA-17-05/ ORDINANCE 17-34**  
**DTS#20170193, (MEPS 682)**  
**SCHROEDER-MANATEE RANCH INC.**

Transmittal of an Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning; amending Manatee County Ordinance 89-01; as amended the Manatee County Comprehensive Plan; providing purpose and intent, providing findings; providing for a privately initiated text amendment by Schroeder-Manatee Ranch (SMR) to remove specific requirements under the Future Land Use Designation of MU-C (Mixed Use – Community) and the associated subareas of MU-C. The subareas affected are MU-C/AC-1 (Activity Center Level 1), MU-C/AC-2 (Activity Center Level 2); and MU-C/AC-3 (Activity Center Level 3); and modification of Specific Property-Development Conditions, D.5.6 [Ordinance 09-12 (PA-09-06)] of the Future Land Use Element of the Manatee County Comprehensive Plan, to allow flexibility to trade-off among all residential unit types, including multi-family; providing for severability; and providing for an effective date.

<b>P.C.:</b>	<b>08/10/17</b>	<b>B.O.C.C.Transmittal:</b>	<b>09/07/17</b>
		<b>Adoption:</b>	<b>11/2/17</b>
<b>App. Rec'd:</b>	<b>04/11/2017</b>	<b>Type of Amendment:</b>	<b>Text</b>

**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 in compliance with the provisions of Chapter 163, Part II, Florida Statutes, and consistent with the Manatee County Comprehensive Plan, I move to transmit Plan Amendment PA-17-05, as recommended by the Planning Commission.

(Commissioner Baugh)

**PLANNING COMMISSION ACTION:**

On August 10, 2017, by a vote of 5 – 0, the Planning Commission recommended Transmittal. Mr. Rahn and Mr. Rutledge were absent.

**PUBLIC COMMENT AND CORRESPONDENCE:**

There was no public comment and nothing was entered into the record at the August 10, 2017 Planning Commission public hearing.

## PLAN AMENDMENT SUMMARY SHEET

**Name:** Schroeder- Manatee Ranch (SMR)

**Applicant:**  
**Case Numbers:** PA-17-05/Proposed Ordinance 17-34

**Request:** Transmittal of an Ordinance of Manatee County, Florida, regarding Comprehensive Planning; amending Manatee County Ordinance 89-01; as amended the Manatee County Comprehensive Plan; providing purpose and intent, providing findings; providing for a privately initiated plan amendment by Schroeder-Manatee Ranch (SMR) to: remove specific requirements under the Future Land Use Designation of MU-C (Mixed Use – Community) and the associated subareas of MU-C. The subareas affected are MU-C/AC-1 (Activity Center Level 1), MU-C/AC-2 (Activity Center Level 2); and MU-C/AC-3 (Activity Center Level 3); and modification of Specific Property-Development Conditions, D.5.6 [Ordinance 09-12 (PA-09-06)] of the Introductory Chapter of the Manatee County Comprehensive Plan, to allow flexibility to trade-off among all residential unit types, including multi-family; providing for severability; and providing for an effective date.

**Type:** Privately initiated Text Amendment

**Recommendation:** Transmittal

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### **Applicant's Reason**

The applicant's reason for the map amendment is a response to the market changes and current development trends. The applicant states that the goal of a reduction in vehicle miles traveled has been achieved through the changing market of employment and retail where people are not driving to jobs or to retail establishments as much as they were in past years. According to the applicant, this could be attributed to the advancement of technology which allows many employees to work remotely. The applicant states "the traditional brick and mortar stores for retail have experienced a decline in activity which appears to be a continuing trend". Further, the applicant has stated that their overall strategy of providing employment within Lakewood Ranch includes the development of CORE (Collaboration Opportunities for Research and Exploration) which is centrally located north of State Road 70 between Lakewood Ranch Boulevard and White Eagle Boulevard. This concentration of jobs within Lakewood Ranch is a superior plan to that which only focused on the areas within the MU-C classified areas.

The applicant requests modification of the Specific Development Condition D.5.6, to allow flexibility to trade-off among all residential unit types, including multi-family. According to the applicant, the maximum development totals listed in D.5.6 were estimations of proposed development within the Plan amendment area. The development totals were based on trip generation estimates which would have been equal to that of the prior land use category. The proposed modification will not change that premise. In other words, the ability to trade among residential uses will still be limited by the number of trips generated. To provide flexibility, multi-family is added to the residential unit types.

### Plan Amendment Justification

According to the applicant, “the text of the MU-C FLUC was conceived and implemented into the Comprehensive Plan by the applicant. These policies were, therefore, self-imposed and the applicant through its experience and depth of understanding of the marketplace has requested these modifications.”

As the area has begun to develop with residential uses, it has been recognized that flexibility among the residential unit types will be necessary. The requested modification to D.5.6. allows the ability to trade multi-family residential units.

### **Background:**

Lakewood Ranch is a 17,500 acre master planned community within the 31,000 acre Schroeder-Manatee Ranch.

The MU-C and associated subareas were newly created future land use designations in 2009 (PA-09-06). Only two property owners, SMR and Manatee Fruit/Lake Flores have this designation.

The Manatee Fruit/Lake Flores site has MU-C, MU-C/AC-1, MC-C/AC-2 and MU-C/RU (Residential). Since Lake Flores has an approved General Development Plan, it is unlikely the owner would seek a modification in the areas of AC-1 and AC-2 if this text amendment is approved.

A large area of SMR property is in the MU-C Future Land Use Category. The MU-C requires that there also be Sub Areas identified on the Future Land Use Map (FLUM). The subject property has identified Sub Areas of AC-1, AC-2, AC-3 and R (Residential). Policies within the Plan set out specific parameters for Sub Areas such as a minimum size and a maximum distance between them. The result is that almost every intersection of major roadways in this area has an Activity Center. The premise was that residents could easily walk to and from work, recreational needs, retail needs or even schools. The problem that has arisen in trying to develop these Activity Centers is that the market demand for the non-residential needs in such close proximity to each other is simply not there. Rather than mandate the development of Activity Centers, the applicant requests that the areas identified on the FLUM be listed or noted as a potential rather than mandatory.

The requested modifications afford more flexibility throughout the area by removing required distance between activity centers, the required minimum number of dwelling units and minimum size of activity centers. The request also removes a provision in MU-C pertaining to limiting the amount of residential until non-residential development has commenced. This requirement to have non-residential development tied to a number of residential units was removed from the Introduction Element Section D, Special Plans Interpretive Provisions (D.5 Specific Property – Development conditions) of the Comprehensive Plan (PA-15-01/D.5.6-Ordinance 09-12 (PA-09-06).

According to the applicant, the entitlement limitations listed in D.5.6 were an estimate of the potential mix of land uses that would be developed in the NE quadrant. The exact numbers were based upon trip generation and intended to provide development that was trip neutral. The ability to trade among all residential categories was limited to single-family attached and detached residential units and exchange was limited to 20%.

In 2009, the original proposal to establish new future land use designations were reviewed by the Department of Community Affairs (DCA) under section 9J-5 of the Florida Administrative code. That section has since been repealed and amendments are no longer subject to those rules. The purpose of the original requirement was to achieve the appropriate jobs to housing balance and reduce vehicle miles traveled.

The market has changed in the last seven plus (7±) years. The housing marketing is strong while the need for brick-and-mortar retail stores has declined. Today's technology, including the prolific use of laptop computers, on-line meetings and conference calls has somewhat modified the standard for the workplace environment. This amendment will remove the mandate of where to locate commercial uses in activity centers and allow for the potential of commercial in those locations if they so choose. The required minimum number of acres for each activity center is also being removed to allow the market to dictate number of acres needed.



Staff recommends approval.

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**PROPOSED TEXT AMENDMENT:**

The proposed Comprehensive Plan Text Amendments related to the Future Land Use Element, Mixed-Use Community and associated Activity Centers are shown in ~~strike through~~ and underline format as follows:

**FUTURE LAND USE ELEMENT**

Policy: 2.2.1.28 **Mixed Use – Community (MU-C):** Establish the Mixed Use – Community future land use category as follows:

Policy: 2.2.1.28.1 Intent: To identify, textually in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Map, areas which are established as major centers of suburban/urban activity through the identification of potential Activity Centers Sub-areas. A graphic depiction of the potential Activity Center Sub-areas shall be adopted as a part of any FLUM amendment establishing a MU-C category and shall become a part of the Future Land Use Map Series. ~~The maximum distance between Activity centers, measured from the edge of the Center, shall be 1.5 miles.~~ Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting. Subareas specifying the range of potential uses, range of potential density/intensity, and other information follow below.

Development or redevelopment within the area designated under this category shall be required to achieve compliance with the Guiding Principles outlined in the Land Use Operative Provisions.

For properties illustrated with a potential Activity center, the requirements of Policy 2.2.1.28.5 (Mixed Use-Community/Residential) shall apply if an Activity Center is not planned.

~~To achieve consistency with the Guiding Principles and to ensure the creation of a viable mixed use area, the approval of each MU-C category shall require the inclusion of Specific Property Development Conditions within the introductory chapter of this Plan that limits the amount of residential development which may occur until a defined amount of non-residential development has commenced, unless such link is determined to be unnecessary through an analysis submitted by the applicant and approved by the County Commission.~~

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:  
9 dwelling units per acre

~~Minimum Gross Residential Density:  
6 dwelling units per acre~~

Maximum Net residential Density:  
20 dwelling units per acre

Maximum floor Area Ratio: 1.0

~~Minimum Size of Activity Center: 40 acres~~

Policy: 2.2.1.28.3

**Mixed Use – community/Activity Center Level 2 (MU-C/AC-2):**  
Establish the activity Center Level 2 subarea 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, short-term agriculture uses, and appropriate water-dependent/water-related/water-enhanced.

Range of Potential Density/Intensity:

Maximum Gross Residential Density:  
9 dwelling units per acre

~~Minimum Gross residential Density:  
6 dwelling units per acre~~

Maximum Net Residential Density:  
20 dwelling units per acre

Maximum Floor Area Ratio: 0.35

~~Minimum size of Activity Center: 20 acres~~

Policy: 2.2.1.28.4

**Mixed Use – Community /Activity Center Level 3 (MU-C/AC-3):** Establish the Activity Center Level 3 subareas as follows:

Range of Potential Uses: Neighborhood retail/office uses, also light industrial uses, research/corporate uses, warehouse/distribution, suburban or urban density planned residential development with integrated residential support uses as part of such developments, short-term agricultural uses, interim farm worker housing, public or semi-public uses, schools, recreational uses, and appropriate water-dependent/water-related/water-enhanced uses.

Range of Potential Density/Intensity:

Maximum Gross Residential Density:  
3 dwelling units per acre

Maximum Net Residential Density:  
9 dwelling units per acre

Maximum Floor Area Ratio: 0.23

~~Minimum Size of Activity Center: 10 Acres~~

#### 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 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\*\*

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.

\*\*Residential unit types may be exchanged up to a maximum of 20% for each unit type provided there is no increase in external vehicle trips.

Attachments:

1. Newspaper Advertising
2. Applicants Narrative
3. Draft Ordinance 17-34
4. Transmittal Letter to DEO

# NOTICE OF LAND USE CHANGE

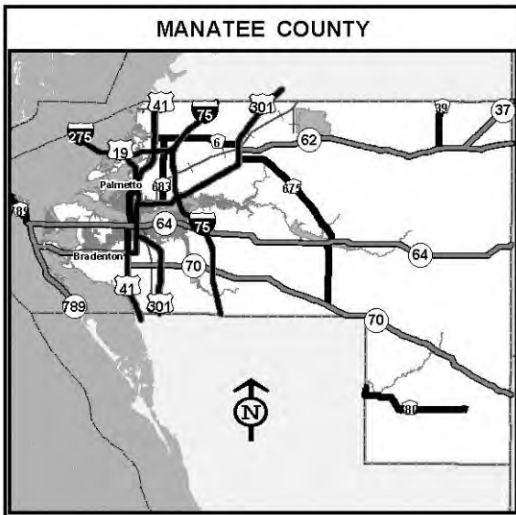
**Official Actions Will Affect and Regulate Use of Real Property in Unincorporated Manatee County – Notice to Real Property Owners and General Public.**

The Manatee County Board of County Commissioners will hold a public hearing to consider the transmittal of the following amendments to the Manatee County Comprehensive Plan. The amendments pertain to the unincorporated area of Manatee County. At the conclusion of the public hearing the Board of County Commissioners shall determine whether to transmit, transmit with modifications or not transmit the amendments to the Manatee County Comprehensive Plan.

**Date:** Thursday, September 7, 2017  
**Time:** 9:00 a.m., or soon thereafter  
**Place:** Manatee County Government Administrative Center  
1112 Manatee Ave. West; Board Chambers (1st Floor)

**PA-17-05/ ORDINANCE 17-34**  
**DTS20170193, MEPS 682**  
**SCHROEDER-MANATEE RANCH INC.**

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**Additional amendments to the following may be necessary to implement these changes and ensure internal consistency.**

Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

**Please Send Comments To:** Manatee County Building and Development Services Department  
Attn: Agenda Coordinator  
1112 Manatee Ave. West, 4<sup>th</sup> Floor  
Bradenton, FL 34206  
[planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

All written comments will be entered into the record.

**For More Information:** Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling **748-4501, Ext. 6878**, between 8:00 AM and 5:00 PM.

**Americans with Disabilities:** The Manatee County Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Commission's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 second; FAX 745-3790.

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.


# BRADENTON HERALD

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Bradenton, FL 34205-8894  
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Bradenton Herald  
Published Daily  
Bradenton, Manatee County, Florida

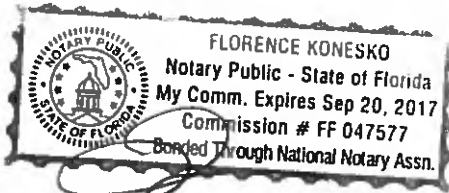
STATE OF FLORIDA  
COUNTY OF MANATEE

Before the undersigned authority personally appeared Donna Stults, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Land Use Change**, was published in said newspaper in the issue(s) of **08/23/2017**. Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature of Affiant)

Sworn to and subscribed before me this

23 Day of Aug, 2017



SEAL & Notary Public

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

## NOTICE OF LAND USE CHANGE

**Official Actions Will Affect and Regulate Use of Real Property in Unincorporated Manatee County – Notice to Real Property Owners and General Public.**

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**PA-17-05/ ORDINANCE 17-34**

**DT820170193, MEPS 682**

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**Please Send Comments To:**

Manatee County Building and  
Development Services Department  
Attn: Agenda Coordinator  
1112 Manatee Ave. West, 4<sup>th</sup> Floor  
Bradenton, FL 34206  
[planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

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095010

HERALD-TRIBUNE MEDIA GROUP  
PUBLISHED DAILY  
MANATEE COUNTY, FLORIDA

Bobbi Roy  
Manatee County Planning Dept.  
1112 Manatee Ave. W., 4th. flr.  
Bradenton, FL 34205

STATE OF FLORIDA  
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED JM MITCHELL, WHO ON OATH SAYS SHE IS ADVERTISING DIRECTOR OF THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN CHARLOTTE COUNTY DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT, BEING A NOTICE IN THE MATTER OF:

**Notice of Land Use Change 17-05**

IN THE COURT WAS PUBLISHED IN MANATEE EDITION OF SAID NEWSPAPER IN THE ISSUES OF:

August 23, 2017

AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN BRADENTON, IN SAID MANATEE COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN THE SAID NEWSPAPER.

SIGNED \_\_\_\_\_

*J Mitchell*

SWORN TO AND SUBSCRIBED BEFORE ME THIS 29 DAY OF AUGUST 2017 A.D., BY JM MITCHELL WHO IS PERSONALLY KNOWN TO ME.

(SEAL) \_\_\_\_\_

*Sharon E Turner*

NOTARY PUBLIC



# NOTICE OF LAND USE CHANGE

Official Actions Will Affect and Regulate Use of Real Property in Unincorporated Manatee County -  
Notice to Real Property Owners and General Public.

The Manatee County Board of County Commissioners will hold a public hearing to consider the transmittal of the following amendments to the Manatee County Comprehensive Plan. The amendments pertain to the unincorporated area of Manatee County. At the conclusion of the public hearing the Board of County Commissioners shall determine whether to transmit, transmit with modifications or not transmit the amendments to the Manatee County Comprehensive Plan.

**Date:** Thursday, September 7, 2017  
**Time:** 9:00 a.m., or soon thereafter  
**Place:** Manatee County Government Administrative Center  
1112 Manatee Ave. West; Board Chambers (1st Floor)

**PA-17-95/ ORDINANCE 17-34**  
**DTB20170193, MEPS 682**  
**SCHROEDER-MANATEE RANCH INC.**

Transmittal of an Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning; amending Manatee County Ordinance 89-01, as amended the Manatee County Comprehensive Plan; providing purpose and intent, providing findings; providing for a privately initiated text amendment by Schroeder-Manatee Ranch (SMR) to remove specific requirements under the Future Land Use Designation of MU-C (Mixed Use - Community) and the associated subareas of MU-C. The subareas affected are MU-C/AC-1 (Activity Center Level 1), MU-C/AC-2 (Activity Center Level 2); and MU-C/AC-3 (Activity Center Level 3); and modification of Specific Property-Development Conditions, D.5.6 [Ordinance 09-12 (PA-09-06)] of the Introductory Chapter of the Manatee County Comprehensive Plan, to allow flexibility to trade-off among all residential unit types, including multi-family; providing for severability; and providing for an effective date.



Additional amendments to the following may be necessary to implement these changes and ensure internal consistency.

Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

**Please Send Comments To:** Manatee County Building and Development Services Department  
Attn: Agenda Coordinator  
1112 Manatee Ave. West, 4<sup>th</sup> Floor  
Bradenton, FL 34206  
[planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

All written comments will be entered into the record.

**For More Information:** Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 748-4501, Ext. 6678, between 8:00 AM and 5:00 PM.

**Americans with Disabilities:** The Manatee County Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Commission's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 second; FAX 745-3790.

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.



**Applicant's Narrative**  
**Schroeder- Manatee Ranch Inc. PA-17-05/Ord-17-34/MEPS 682**  
**Comprehensive Plan Amendment**

**INTRODUCTION**

The Manatee County Comprehensive Plan ("Plan") was adopted in 1989 pursuant to Chapter 163 of the Florida Statutes. The Plan sets forth goals, objectives and policies which seek to provide a predictable land use pattern. The Plan's goal is to improve the physical environment of the community as a setting for human and natural resource activities; protect the public health, safety, and welfare; ensure that long range considerations are included in the determination of short range actions; and to promote a healthy, stable, and vigorous local economy which can satisfy the goods and service needs of the local community. It is recognized that over time the County or persons having a substantial interest in property in Manatee County may seek to change the Plan through amendments to either the Future Land Use Map ("FLUM") or to the text of the Plan. An amendment to the Plan is considered a major policy decision by the Board of County Commissioners and any amendment to the FLUM shall occur only where it is determined that growth and development patterns initially sought by Manatee County are no longer appropriate. The applicant for such an amendment must demonstrate such a change in circumstances and must provide the County with sufficient information to determine that the amendment is appropriate.

Lakewood Ranch is a 17,500 acre master planned community contained within the 31,000 acre Schroeder-Manatee Ranch. Ranch activities currently include cattle ranching, citrus farming, turf farming, lumber and shell mining. The community is home to a range of residential and commercial development as well as multiple office and business parks in both Manatee and Sarasota Counties. The community also contains public and private schools (from pre-school through college), places of worship, medical facilities and abundant recreational opportunities including several golf courses, the Sarasota Polo Club, the Premier Sports Campus and the Ancient Oak Gun Club. So far, there are 110 acres of nature preserves, 150 miles of trails, greenways and bike paths, 451 acres of wetland preserves and 400 acres of man- made lakes.

**REQUEST:**

Text Amendment within the Introductory Chapter

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\*\*

Land Use Form.

1. The project shall consist of mixed use and neo-traditional development as such terms are defined in the Comprehensive Plan.
2. Phasing and mixing of land uses to achieve the above shall be addressed with project approval

\*\*Residential unit types may be exchanged provided there is no increase in external vehicle trips. ~~up to a maximum of 20% for each unit type.~~

Text Amendment within the Future Land Use Element

Policy: 2.2.1.28 **Mixed Use – Community (MU-C):** Establish the Mixed Use – Community future land use category as follows:

Policy: 2.2.1.28.1 Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Map, areas which are established as major centers of suburban/urban activity through the identification of potential Activity Centers~~Sub-areas~~. A graphic depiction of the potential Activity Centers~~Sub-areas~~ shall be adopted as a part of any FLUM amendment establishing a MU-C category and shall become a part of the Future Land Use Map Series. ~~The maximum distance between Activity centers, measured from the edge of the Center, shall be 1.5 miles.~~ Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting. Subareas specifying the range of potential uses, range of potential density/intensity, and other information follow below.

Development or redevelopment within the area designated under this category shall be required to

achieve compliance with the Guiding Principles outlined in the Land Use Operative Provisions.

For properties illustrated with a potential Activity Center, the requirements of Policy 2.2.1.28.5 (Mixed Use-Community/Residential) shall apply if an Activity Center is not planned.

~~To achieve consistency with the Guiding Principles and to ensure the creation of a viable mixed use area, the approval of each MU-C category shall require the inclusion of Specific Property Development Conditions within the introductory chapter of this Plan that limits the amount of residential development which may occur until a defined amount of non-residential development has commenced, unless such limit is determined to be unnecessary through an analysis submitted by the applicant and approved by the County Commission.~~

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:  
9 dwelling units per acre

~~Minimum Gross Residential  
Density: 6 dwelling units per  
acre~~

Maximum Net residential  
Density: 20 dwelling units  
per acre

Maximum floor Area Ratio: 1.0

~~Minimum Size of Activity Center: 40 acres~~

Other Information:

- a) All projects require special approval and are subject to the criteria within b, c, d, below, unless all the following are applicable:
  1. The proposed project consists of a single family dwelling unit located on a lot of record which is not subject to any change in property boundary lines during the development of the proposed land use, and
  2. The proposed project is to be developed without generating a requirement for either subdivision review, or final sit or development plan review, or equivalent development order review.
- b) Non-Residential uses exceeding 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 e) below, such uses shall not be subject to Policies 2.10.3.3 or 2.10.3.5.
- c) Development within this Mixed Use AC-1 subarea shall contain the minimum percentage of at least three of the following general categories of land uses. If two of the land uses include Recreation/Open Space and Public/Semi Public the required mix of uses increases to four land use types, one of which must be residential.
  - 10% Residential.
  - 20% Commercial / Professional.
  - 15% Light Industrial / Distribution.
  - 5% Recreation / Open Space.
  - 3% Public / Semi Public.
- d) 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.

- e) 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.
- f) 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.

Policy: 2.2.1.28.3

**Mixed Use – community/Activity Center Level 2 (MU-**

**C/AC-2):** Establish the activity Center Level 2 subarea 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, short-term agriculture uses, and appropriate water-dependent/water-related/water- enhanced.

Range of Potential

Density/Intensity: Maximum Gross

Residential Density:  
9 dwelling units per acre

~~Minimum Gross residential  
Density: 6 dwelling units per  
acre~~

Maximum Net Residential  
Density: 20 dwelling units per  
acre

Maximum Floor Area Ratio: 0.35

~~Minimum size of Activity Center: 20~~

~~acres~~

Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses: Large 300,000 square feet.

Other Information:

- a) All mixed and multiple-use projects shall require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.
- b) All projects for which either gross residential density exceeds 6 dwelling units per acre, or for which any net residential density exceeds 9 units per acre, shall require special approval.
- c) All non-residential projects, or part thereof, exceeding 0.25 FAR shall also require special approval.
- d) Non-residential projects exceeding 150,000 square feet gross building area may be considered only if consistent with the requirements for large commercial uses, as described in this element, however, such uses shall not be subject to Policy 2.10.3.3.
- e) Development within this Mixed Use AC-2 subarea shall contain the minimum percentage of at least three of the following general categories of land uses. If two of the land uses include Recreation/Open Space and Public/Semi Public the required mix of uses increases to four land use types, one of which must be residential.
  - 10% Residential.
  - 20% Commercial / Professional.
  - 15% Light Industrial / Distribution.
  - 5% Recreation / Open Space.
  - 3% Public / Semi Public.

**(MU-C/AC-3):** Establish the Activity Center Level 3 subareas as follows:

Range of Potential Uses: Neighborhood retail/office uses, also light industrial uses, research/corporate uses, warehouse/distribution, suburban or urban density planned residential development with integrated residential support uses as part of such developments, short-term agricultural uses, interim farm worker housing, public or semi-public uses, schools, recreational uses, and appropriate water-dependent/water-related/water-enhanced uses.

Range of Potential

Density/Intensity: Maximum Gross

Residential Density:  
3 dwelling units per acre

Maximum Net Residential  
Density: 9 dwelling units per  
acre

Maximum Floor Area Ratio: 0.23

~~Minimum Size of Activity Center: 10~~

~~Acres~~

Maximum Square Footage for Neighborhood Retail  
Uses: Medium (150,000 sf)

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) All projects for which gross residential density exceeds 1 dwelling unit per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval.
- c) Any nonresidential project exceeding 30,000 square feet shall require special approval.

- d) The AC-3 subarea shall contain a minimum of 50% non-residential development.

## **II. REASON**

At the time of adoption of Ordinance 09-12, the State of Florida reviewed Comprehensive Plan Amendments under section 9J-5 of the Florida Administrative Code. That section has since been repealed and amendments are no longer subject to those rules. The overseeing Department at that time, Community Affairs (“DCA”), was responsible for adopting these administrative rules and for reviewing amendments to determine compliance. The purpose of such language was to achieve the appropriate jobs to housing balance and reduce vehicle miles traveled.

As a master planned community, it is essential to provide employment opportunities to the residents. Over time, as the market changes and development trends occur, changes may become necessary. Today’s technology, including the prolific use of laptop computers, online meetings and conference calls has changed the standard for the workplace environment. Many employees do not work in a traditional office environment nor do standard office buildings contain the space they once did per employee. Many employees work from remote locations and are not in the office during the traditional 8am-5pm, Monday through Friday schedule which allows for co-sharing of space resulting in an overall reduced need for floor area. We have also seen trends in the marketplace with e-commerce and online retailing. The traditional brick and mortar stores for retail have experienced a decline in activity which appears to be a continuing trend.

In 2015, Manatee County adopted an amendment modifying the original language in Ordinance 09-12 by removing the limitation on the amount of residential development which could be built prior to the commencement of non-residential. The subject application is further refinement of the original language and modifies the requirement for Activity Centers at specified distances as well as some of the parameters of Activity Centers should they be developed.

Schroeder-Manatee Ranch continues to develop in areas west of the lands classified as MU-C and has recently undertaken efforts to provide an area within the DRI known as Lakewood Centre to be known as CORE (“Collaborative Efforts for Research and Exploration”). The goal of CORE is to attract scientific, educational and research institutions which will bring high wage jobs to this area of the County. Having a centralized location within Lakewood Ranch that has a concentration of employment opportunities continues to serve the intended purpose of creating a jobs to housing balance and reducing vehicle miles traveled.

## **III. CONSISTENCY**

*Manatee County’s Land Development Application requests a response to “Consistency with Comprehensive Plan/State Comprehensive Plan (187.201, F.S.). In 2011, significant changes to Chapter 163 of the Florida Statutes eliminated the State Comprehensive Plan from the definition of “in compliance” in Section 163.3184(1)(b) and the Department of Economic Opportunity (“DEO”) no longer can consider it as a basis for a compliance determination. However, that section includes the requirement for consistency with the*



***appropriate strategic regional policy plan. The Consistency section of has been prepared in conformance with the current rules and addresses goals, objectives and policies from the Manatee County Comprehensive Plan and the Tampa Bay Regional Planning Council (“TBRPC”) Strategic Policy Plan.***

The requested amendment furthers the following goals, policies and objectives of the Manatee County Comprehensive Plan.

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 if compatible with future areas of development.

Implementation Mechanism(s):

- a) Designation of maximum allowable densities on the Future Land Use Map to permit consistent and compatible residential development on vacant areas within and adjacent to existing residential areas.
- b) Designation of nonresidential categories on the Future Land Use Map to permit compatible nonresidential development on vacant areas within and, where appropriate, adjacent to existing nonresidential development.

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: 2.6.5.2

Encourage, in locations which are suited to diverse uses, mixed and multiple use projects to provide for integration and synergy between land uses. Nothing in this policy shall preclude single use or homogenous projects if mixing of uses on a single project, or intrusion of a different use into a homogenous area, will create inappropriate diversity or incompatibilities between adjacent land uses.

Implementation Mechanism(s):

- a) Consideration of limited nonresidential land uses within residential designations pursuant to policy in this Element.
- b) Consideration of commercial and residential uses within the ROR designation pursuant to policy in this Element.

c) Consideration of industrial, commercial and residential uses within the MU designation pursuant to policies in this Element.

d) Consideration of all residential dwelling units, or combinations thereof, within all future land use categories, where consistent with other policies in this Element.

Policy: 2.6.5.3

Encourage, within currently undeveloped areas designation for new growth, and within infill development projects not creating incompatible land use patterns, the vertical integration of uses by mixing of uses within a single structure.

Objective: 2.9.1

Strong Communities: Create and maintain communities which are characterized by their:

- connection, integration, and compatibility with surrounding land uses,
- community spaces and focal points,
- protection of the natural environment,
- connection and integration of pedestrian, bicycle, and vehicular systems,
- usable open spaces, and public access to water features,
- unifying design elements and features,
- variety of housing stock,
- pedestrian oriented structures, and pedestrian friendly design,
- connection to recreational facilities, schools, adjacent neighborhoods, employment opportunities and commercial uses.

Policy: 2.10.1.3

Allow for neo-traditional development projects that functionally mix residential and commercial (retail/office) uses.

Policy: 2.10.2.5

Allow for neo-traditional projects to have commercial (retail/office) uses that are central to the individual projects. Such projects will promote diversity of uses while not promoting strip commercial development.

Policy: 6.1.1.1

Permit a variety of appropriate dwelling unit types and sizes in all residential future land use categories, subject to compliance with other goals, objectives, and policies of this Comprehensive Plan.

The requested amendment furthers the following goals and policies of the “Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region, September 12, 2005”

## AFFORDABLE HOUSING

### Location

1.12: Site and design residential development in a way that: enhances and protects life and property from natural and man-made hazards; is compatible with the type and scale of surrounding land uses; fosters a pedestrian friendly environment; enhances connectivity with adjacent development; and protects existing residential areas from the encroachment of incompatible activities. Likewise, other land use areas should be protected from the encroachment of incompatible residential activities. The implementation or interpretation of these provisions, however, should not be seen as discouraging mixed-use development.

## ECONOMIC DEVELOPMENT

### Sustainable Development

2.69: Recognize that sustainable development requires adherence to the following guiding principles:

- Creating Livable Communities: Building active, attractive communities with easy access to residential, commercial, and recreational areas;
- Mixed-use Development: Encouraging mixed-use development which includes a combination of compatible land uses having functional interrelationships and aesthetic features;
- Pedestrian-friendly Communities: Encouraging development which proceeds in a manner that encourages people to walk to obtain the things they need;

## REGIONAL TRANSPORTATION

### Land Use/Transportation

5.14: Promote the implementation of programs which reduce the overall number of person and vehicle trips per mile and to promote internal capture within large developments and heavily-developed areas.

5.23: Facilitate the best use of residential, commercial, and/or industrial land uses and infrastructure systems and decrease urban sprawl by promoting infill redevelopment, rehabilitation, and/or adaptive reuse of existing areas and/or structures.

#### **IV. PRIOR HISTORY**

Ordinance 09-12 (PA-09-06) was adopted on December 15, 2009 as an amendment to text within the Future Land Use Element of the Plan creating a new Future Land Use Category entitled Mixed Use-Community (“MU-C”) and related provisions as well as to the FLUM from Estate Rural (ER), Residential 1 du/ga (RES-1) and Urban Fringe-3 du/ga (UF-3) to MU-C.

Ordinance 15-31 (PA-15-01) was adopted on December 3, 2015 to eliminate language contained within the Introduction Element, Section D. Special Plan Interpretative Provisions.

**PA-17-05/ ORDINANCE 17-34**  
**DTS#20170193, (MEPS 682)**  
**SCHROEDER-MANATEE RANCH INC.**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING; AMENDING MANATEE COUNTY ORDINANCE 89-01; AS AMENDED THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING PURPOSE AND INTENT, PROVIDING FINDINGS; PROVIDING FOR A PRIVATELY INITIATED TEXT AMENDMENT BY SCHROEDER-MANATEE RANCH (SMR) TO REMOVE SPECIFIC REQUIREMENTS UNDER THE FUTURE LAND USE DESIGNATION OF MU-C (MIXED USE – COMMUNITY) AND THE ASSOCIATED SUBAREAS OF MU-C. THE SUBAREAS AFFECTED ARE MU-C/AC-1 (ACTIVITY CENTER LEVEL 1), MU-C/AC-2 (ACTIVITY CENTER LEVEL 2); AND MU-C/AC-3 (ACTIVITY CENTER LEVEL 3); AND MODIFICATION OF SPECIFIC PROPERTY-DEVELOPMENT CONDITIONS, D.5.6 [ORDINANCE 09-12 (PA-09-06)] OF THE INTRODUCTORY CHAPTER OF THE MANATEE COUNTY COMPREHENSIVE PLAN, TO ALLOW FLEXIBILITY TO TRADE-OFF AMONG ALL RESIDENTIAL UNIT TYPES, INCLUDING MULTI-FAMILY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and,

**WHEREAS**, The Community Planning Act (the “Act”) is codified in the applicable portions of Chapter 163, Part II, Florida Statutes (2016) as amended, empowers and requires the County (a) to plan for the county’s future development and growth, and (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county; and,

**WHEREAS**, Manatee County Ordinance No. 89-01, as amended, was adopted pursuant to general law for the purpose of providing a framework for land use and development in the unincorporated area of Manatee County, and established the Manatee County Comprehensive Plan; and,

**WHEREAS**, Application PA-17-05 has been privately initiated to amend the Comprehensive Plan, to remove specific requirements under the Future Land Use Designation of MU-C (Mixed Use – Community) and the associated subareas of MU-C. The subareas affected are MU-C/AC-1 (Activity Center Level 1), MU-C/AC-2 (Activity Center Level 2); and MU-C/AC-3 (Activity Center Level 3); and modification of Specific Property-Development Conditions, D.5.6 [Ordinance 09-12 (PA-09-06)] of the Introductory Chapter of the Manatee County Comprehensive Plan, to allow flexibility to trade-off among all residential unit types, including multi-family; and,

**WHEREAS**, at a duly noticed public hearing on August 10, 2017, the Manatee County Planning Commission, as the County’s Local Planning Agency for purposes of the Act, considered Application PA-17-05; and passed a motion to recommend transmittal of Plan Amendment 17-05 to the Board of County Commissioners; and,

**WHEREAS**, after due public notice, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing on September 7, 2017, to consider Plan Amendment 17-05 and the transmittal of the proposed amendment to the State Land Planning Agency in accordance with the Act; and,

**WHEREAS**, the State Land Planning Agency by letter dated xxxx, identified no comments related to important State resources and facilities within the Department of Economic Opportunity's (DEO) authorized scope of review that would be adversely impacted by Plan Amendment 17-05, if adopted; and,

**WHEREAS**, the Florida Department of Transportation by letter dated xxxx transmitted its review comments on Plan Amendment 16-09 as to transportation resources and facilities of State importance; and,

**WHEREAS**, the Southwest Florida Water Management District, by letter dated xxxx, provided comments stating no adverse impact on regional water supply resources; and,

**WHEREAS**, the Florida Fish and Wildlife Commission (FFWC) by letter dated xxxx identified no comments related to fish and wildlife or listed species and their habitat with regard to Plan Amendment PA-17-05; and,

**WHEREAS**, the staff of the Tampa Bay Regional Planning Council prepared a report on Plan Amendment PA-17-05 and had their report affirmed by the Tampa Bay Regional Planning Council at the meeting of xxxx; and,

**WHEREAS**, the report of the Tampa Bay Regional Planning Council (the TBRPC) identified no adverse effects on regional resources or facilities as identified in *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region 2005* and no extra- jurisdictional impacts were identified that would be inconsistent with the comprehensive plan of any affected local government; and,

**WHEREAS**, the Florida Department of Education by letter dated xxxx, identified no potential for Plan Amendment PA-17-05 to significantly adversely impact public school facilities; and,

**WHEREAS**, the Florida Department of Environmental Protection, by correspondence dated xxxx, transmitted its review comments for Plan Amendment PA-17-05 and determined no provision in the Plan Amendment, if adopted, would adversely impact important State resources, specifically air and water pollution, wetlands and other surface waters of the State, federal and State owned lands and interests in lands including state parks, greenways and trails, conservation easements, solid waste, and water and wastewater treatment; and,

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes (2016), on xxxx, the Board of County Commissioners held an adoption public hearing, with due public notice having been provided, to consider said proposed amendment to the Comprehensive Plan; and,

**WHEREAS**, the Board of County Commissioners further considered all oral and written comments received during said public hearings, the recommendations of the Planning Commission, and the comments of the State Land Planning Agency and all applicable State or local review agencies; and,

**WHEREAS**, in exercise of said authority, the Board of County Commissioners has determined that the adoption of Plan Amendment PA-16-10 would be in the public interest; and,

**WHEREAS**, the Board of County Commissioners, based upon the foregoing findings, has determined that the requirements for amending the Comprehensive Plan in Section C.2.3.3, Introduction of the Comprehensive Plan have been satisfied; and,

**WHEREAS**, all applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to Chapter 163, Part II, Florida Statutes (2016), and the Plan Format and Administration Section of the Manatee County Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Manatee County that:

**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 Act, and Chapter 125, Florida Statutes, as amended.

**Section 2. Findings:** The recitals set forth in the “Whereas” clauses above are true and correct and are hereby adopted as findings by the Board for the adoption of this Ordinance.

**Section 3. Text Amendments to Future Land Use Element:** The Manatee County Comprehensive Plan Chapter entitled “Future Land Use Element” is hereby amended as shown in strikethrough/underline format:

FUTURE LAND USE ELEMENT

Policy: 2.2.1.28 **Mixed Use – Community (MU-C):** Establish the Mixed Use – Community future land use category as follows:

Policy: 2.2.1.28.1 Intent: To identify, textually in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Map, areas which are established as major centers of suburban/urban activity through the identification of potential Activity Centers Sub-areas. A graphic depiction of the potential Activity Center Sub-areas shall be adopted as a part of any FLUM amendment establishing a MU-C category and shall become a part of the Future Land Use Map Series.—~~The maximum distance between Activity centers, measured from the edge of the Center, shall be 1.5 miles.~~ Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting. Subareas specifying the range of potential uses, range of potential density/intensity, and other information follow below.

Development or redevelopment within the area designated under this category shall be required to achieve compliance

with the Guiding Principles outlined in the Land Use Operative Provisions.

For properties illustrated with a potential Activity center, the requirements of Policy 2.2.1.28.5 (Mixed Use-Community/Residential) shall apply if an Activity Center is not planned.

~~To achieve consistency with the Guiding Principles and to ensure the creation of a viable mixed use area, the approval of each MU-C category shall require the inclusion of Specific Property Development Conditions within the introductory chapter of this Plan that limits the amount of residential development which may occur until a defined amount of non-residential development has commenced, unless such link is determined to be unnecessary through an analysis submitted by the applicant and approved by the County Commission.~~

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:  
9 dwelling units per acre

~~Minimum Gross Residential Density:  
6 dwelling units per acre~~

Maximum Net residential Density:  
20 dwelling units per acre

Maximum floor Area Ratio: 1.0

~~Minimum Size of Activity Center: 40 acres~~

Policy: 2.2.1.28.3

**Mixed Use – community/Activity Center Level 2 (MU-C/AC-2):** Establish the activity Center Level 2 subarea 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, short-term agriculture uses, and appropriate water-dependent/water-related/water-enhanced.

Range of Potential Density/Intensity:

Maximum Gross Residential Density:  
9 dwelling units per acre

~~Minimum Gross residential Density:  
6 dwelling units per acre~~

Maximum Net Residential Density:  
20 dwelling units per acre

Maximum Floor Area Ratio: 0.35

~~Minimum size of Activity Center: 20 acres~~

Policy: 2.2.1.28.4

**Mixed Use – Community /Activity Center Level 3 (MU-C/AC-3):** Establish the Activity Center Level 3 subareas as follows:

Range of Potential Uses: Neighborhood retail/office uses, also light industrial uses, research/corporate uses, warehouse/distribution, suburban or urban density planned residential development with integrated residential support uses as part of such developments, short-term agricultural uses, interim farm worker housing, public or semi-public uses, schools, recreational uses, and appropriate water-dependent/water-related/water-enhanced uses.

Range of Potential Density/Intensity:

Maximum Gross Residential Density:  
3 dwelling units per acre

Maximum Net Residential Density:  
9 dwelling units per acre

Maximum Floor Area Ratio: 0.23

~~Minimum Size of Activity Center: 10 Acres~~

#### **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 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\_\_

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.

\*\*Residential unit types may be exchanged up to a maximum of 20% for each unit type provided there is no increase in external vehicle trips.

**Section 4. Severability:** If any section, sentence, clause or other provision of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this Ordinance.

**Section 5. Codification:** The publisher of the County's Comprehensive Plan, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this Ordinance into the Comprehensive Plan.

**Section 6. Effective Date:** The effective date of this Plan Amendment PA-17-05, if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies Manatee County that the adopted plan amendment package for Plan Amendment PA-17-05 is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted Amendment PA-17-05 to be in compliance. No development orders, development permits, or land uses dependent on this Plan Amendment PA-17-05 may be issued or commenced before it has become effective.

**PASSED AND DULY ADOPTED** with a quorum present and voting **this<sup>th</sup> day of xxxx, 2017.**

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

By: \_\_\_\_\_  
Betsy Benac, Chairman

**ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By: \_\_\_\_\_  
Deputy Clerk



## MANATEE COUNTY FLORIDA

**September 7, 2017**

Department of Economic Opportunity  
Ray Eubanks, Plan Processing Administrator  
State Land Planning Agency  
Caldwell Building  
107 East Madison – MSC 160  
Tallahassee, Florida 32399-2100

**RE: Plan Amendment PA-17-05/Ordinance 17-34 – Privately Initiated Text Amendment  
Schroeder-Manatee Ranch, Inc. DTS20170193**

Dear Mr. Eubanks:

Manatee County hereby submits for review one (1) proposed 2017 plan amendment to the Manatee County Comprehensive Plan. This amendment was approved for transmittal by the Manatee County Board of County Commissioners at a public hearing session held on September 7, 2017. A second public hearing shall be held within 180 days after the receipt of comments from the State Land Planning Agency.

**Text Amendment:**

Transmittal of an Amendment to the Manatee County Comprehensive Plan remove specific requirements under the Future Land Use Designation of MU-C (Mixed Use – Community) and the associated subareas of MU-C. The subareas affected are MU-C/AC-1 (Activity Center Level 1), MU-C/AC-2 (Activity Center Level 2); and MU-C/AC-3 (Activity Center Level 3); and modification of Specific Property-Development Conditions, D.5.6 [Ordinance 09-12 (PA-09-06)] of the Future Land Use Element of the Manatee County Comprehensive Plan.

Enclosed are three (3) copies (2 CD's, 1 hard copy) of the Comprehensive Plan amendment and supporting documents, data and analysis, and one copy of each item as specified under Florida Statute 163.314(4)(b) and transmitted in accordance with Florida Statute 163.3184(3)(b)1, for review by the Department of Economic Opportunity.

**Manatee County requests an “Expedited Review” of this amendment by all State agencies as outlined in Florida Statute 163.3184(3)(b)1.** This amendment package has also been transmitted to the Florida Department of Environmental Protection, Southwest Florida Water Management District, Florida Department of Transportation, Tampa Bay Regional Council,

Board of County Commissioners  
1112 Manatee Avenue West, Bradenton, FL 34205  
[www.myanatee.org](http://www.myanatee.org) \* Phone: 941.745.3700 \* FAX: 941.745.3790

Department of State, Bureau of Historic Preservation, Florida Fish & Wildlife Conservation Commission and Department of Agriculture & Consumer affairs.

The proposed amendment is not being adopted pursuant to joint planning agreement nor is the amendment located within an area of critical state concern or Resource Planning and Management Area.

Any questions you may have concerning the proposed plan amendment may be directed to Branden Roe, Planner, at the address, telephone number, or e-mail listed below.

Manatee County Building and Development Services Department  
Attn: Stephanie Moreland, Principal Planner  
Comprehensive Planning Division/Public Hearings  
1112 Manatee Avenue West, 4<sup>th</sup> Floor  
Bradenton, FL 34205  
Telephone: (941) 748-4501, ext. 3880  
[Stephanie.moreland@mymanatee.org](mailto:Stephanie.moreland@mymanatee.org)

Thank you for your assistance and cooperation.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

Robin DiSabatino,  
1<sup>st</sup> Vice Chairman

Enclosures