



May 21, 2026 - Land Use Meeting

**Subject**

**Resolution R-26-055 Denying Application PDR-23-48(Z)(P) – Yort- 2351 - PLN2309-0137 -CJ Mills, Planner II - District 1**

**Category**

**CONSENT AGENDA**

**Briefings**

Briefing Provided Upon Request

**Contact and/or Presenter Information**

Sarah Schenk, Chief Assistant County Attorney

**Action Requested**

ACTION: I move to adopt Resolution No. R-26-055 providing the Notice of Denial for Ordinance PDR-23-48(Z)(P) – Yort- 2351 - PLN2309-0137

**Enabling/Regulating Authority**

Manatee County Comprehensive Plan  
Manatee County Land Development Code

**Applicable Advisory Board**

N/A

**Background Discussion**

The Board of County Commissioners voted to deny the project at the Land Use meeting on April 23, 2026.

**Attorney Review**

Other (Requires explanation in field below) Schenk  
Sarah Schenk drafted the Resolution.

**Instructions to Board Records**

Please forward a copy of the executed document to [Bobbi.roy@mymanatee.org](mailto:Bobbi.roy@mymanatee.org).

**Cost and Funds Source Account Number and Name**

N/A

**Amount and Frequency of Recurring Costs**

N/A

RESOLUTION NO. R-26-055

NOTICE OF DENIAL

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING NOTICE OF DENIAL OF APPLICATION NO. PDR-23-48(Z)(P) REQUESTING THE REZONING OF APPROXIMATELY 31.32 ± ACRES GENERALLY LOCATED ON THE WEST SIDE OF RYE ROAD AND NORTH OF THE FUTURE EXTENSION OF MULHOLLAND ROAD, A/K/A 2351 AND 2357 NORTH RYE ROAD IN PARRISH (MANATEE COUNTY) FROM A (GENERAL AGRICULTURE) TO PDR PLANNED DEVELOPMENT RESIDENTIAL) ZONING DISTRICT AND APPROVAL OF A PRELIMINARY SITE PLAN FOR A MAXIMUM OF 733 SINGLE FAMILY DWELLING UNITS PROPOSED ON 464.74± ACRES (INCLUDING THE 31.42± ACRES OF PROPERTY PROPOSED TO BE REZONED AND 433.42 ACRES OF PROPERTY IMMEDIATELY ADJACENT TO THE SOUTH, ALREADY ZONED PDR (PLANNED DEVELOPMENT RESIDENTIAL), SAID PROPERTY BEING PARTIALLY LOCATED WITHIN THE CEA/CHH/CPA OVERLAYS (COASTAL EVACUATION AREA, COASTAL HIGH HAZARD, AND COASTAL PLANNING AREA OVERLAYS) COMMONLY KNOWN AS 1921,1381 AND 1621 NORTH RYE ROAD IN PARRISH (MANATEE COUNTY) , PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, 2351 Rye Road LLC (Owner of 31.31± acres of property requested to be rezoned) and Yort, LLC (Owner of 433.42± acres of property already zoned PDR (Planned Development Residential) (collectively the “Applicants”) filed Application No. PDR-23-48(Z)(P) to rezone approximately 31.32± acres described in **Exhibit “A”**, attached hereto, from A (General Agriculture) to PDR (Planned Development Residential) Zoning District, and to request approval a Preliminary Site Plan for a maximum of 720 single-family dwelling units (sometimes referred herein collectively as the “Application”); and,

**WHEREAS**, the Manatee County Planning Commission (the “Planning Commission”), held a duly noticed public hearing on January 15, 2026 on the Application, as the County’s Local Planning Agency pursuant to § 163.3174, Florida Statutes and Land Development Code (“LDC”) § 301.1.A; and,

**WHEREAS**, the Board of County Commissioners of Manatee County, Florida (the “Board”) held a duly noticed public hearing on the Application on February 12, 2026, March 5, 2026, as continued to April 23, 2026, and directed Staff and the County Attorney to prepare a formal written notice of the Application’s denial for the May 21, 2026 Board meeting, in accordance with § 125.022(5), Florida Statutes.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Manatee County, Florida:

**Section 1. Findings.**

- A. The recitals set forth above are hereby incorporated into this Resolution.
- B. The Board is authorized and empowered to consider, approve, and/or deny the Application to rezone and the proposed Preliminary Site Plan pursuant to the County's Land Development Code ("LDC") §§ 200, 300, 322, 342 and 402.6, 402.7, and 531.47.
- C. The applicant[s] shall bear the burden of demonstrating by competent and substantial evidence that the application satisfies the standards and requirements of the LDC and the Comprehensive Plan. LDC § 312.8B.
- D. "In deciding whether to recommend approval, approval with modification or denial of a proposed PSP the approving authority [the Board] shall consider whether the proposed plan is consistent with the Comprehensive Plan and the LDC." See LDC § 322.2.
- E. For rezonings, the Board may deny the rezoning request if it determines "that the proposed [zoning atlas] amendment is not consistent with the Comprehensive Plan or does not promote the public health, safety or welfare...". LDC § 342.2.F.
- F. Section 163.3194(3)(a) of the Community Planning Act provides that "[a] land development order or land development regulation shall be consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development permitted by such order or regulation are compatible with and further the objectives, polices, and land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government." Fla. Stat. § 163.3194(3)(a).
- G. Section 163.3194(3)(b), of the Community Planning Act provides that "[a] development approved or undertaken by a local government shall be consistent with the comprehensive plan, if the land uses, densities or intensities, capacity or size, timing and other aspects of the development are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government." Fla. Stat. § 163.3194(3)(b).
- H. In its review of the Application, the Board considered the underlying record which consists of public hearing testimony and evidence, and the documents, records, information, etc. identified in Section 6 of the Procedures for the

Manatee County Board of County Commissioners' Meetings (collectively referred to herein as the "Record"). See Resolution No. R-25-013.

- I. The "Project", "Project Area", or the "Property" shall mean the parcel or tract of land (as described in Exhibit "A") requested to be rezoned to the PDR (Planned Development Residential) Zoning District (31.32± acres) and the total 464.74± acres for which a preliminary site plan ("PSP") approval was requested for a Project proposing a maximum of 733 single-family dwelling units. See **Exhibit B**, Site Location Map.
- J. The Property requested to be rezoned to PDR (Planned Development Residential) (31.32 ± acres) ("the Rezone Parcel") is currently in the A (General Agriculture) Zoning District.
- K. The Property (464.74± acres) is in the Urban Fringe-3 (UF-3) Future Land Use Classification).
- L. The maximum allowed density for the UF-3 FLUC is less than 3.00 DU/GA (dwelling units per gross acres). The Project proposed a density of 733 single-family dwelling units equivalent to 1.8 DU/GA; in the UF-3 FLUC. See Staff Report, page 4.
- M. The maximum height of the Project's buildings is two (2) stories (35 feet). The maximum height allowed is two (2) stories (35 feet). See Staff Report, page 7.
- N. There are 149.44 acres of wetlands within the Project comprising 32% of the Property and no wetland impacts were proposed on the PSP. See Staff Report, pages 6, 9, 10, and 16,. The wetland acreage (32% of Property) is greater than 20% of the total acreage, the maximum density allowed on the Property when accounting for wetland transfer calculations is 1,224 dwelling units (2.63 DU/GA). See Staff Report, page 18.
- O. There are 177.60 acres of existing Native Upland Habitat in the Project. 41.78 acres of Native Upland Habitat are required to be preserved. See Staff Report, pages 10, and 11.
- P. There are approximately 14 potentially occupied gopher tortoise burrows on the Project Site potentially impacted. See Staff Report, page 11. See Revised Ecological Narrative by Steinbaum and Associates, Inc. (July 21, 2025) Staff Report, page 23.
- Q. The properties to the north comprise a residential subdivision; to the south is Camp Flying Eagle (Boy Scout Camp), and residential subdivision, to the east is mixed use development (not built) and to the west, residential subdivision. See Staff Report, pages 5, and 14.

- R. The Project Area is located within a flood prone area (i.e. rainfall, riverine, storm surge) and in the Gamble Creek, Goodard Creek and Manatee River Watershed. See Staff Report, pages 7, and 10. The Project is located in the FEMA 2014 FIRM 100-year floodplain and floodway. The Project is also located in the Gamble Creek 100-year floodplain and within the Gamble Creek Watershed Study. See Staff Report, pages 7, and 16.
- S. The Project is within the Coastal Planning Area, Coastal Overlay District (238.71± acres). The southern portion of the Project is within the CPA (Coastal Planning Area), CEA (Coastal Evacuation Area) and the CHHA (Coastal High Hazard Area) Overlay Districts. The portion of the CHHA that runs along the southern boundary is within the wetland area. See Staff Report, pages 10, 11, and 16.
- T. The Project site is located on the west side of North Rye Road, north and south of the future extension of Mulholland Road, approximately 1 mile north of Upper Mantee River Road. The Rezone Parcel (31.32± acre northern portion of the Project) is adjacent to the future extension of Mulholland Road. See Staff Report, page 4.
- U. The Traffic Impact Statement prepared by Lincks & Associates, (rev. June, 2025), (the "Traffic Impact Statement" or "TIS") states the Project proposes two (2) accesses to Rye Road and the extension of 20<sup>th</sup> Street SE. See *TIS*, page 1.
- V. The Traffic Impact Statement states the Project is anticipated to generate 617 PM Peak Hour trip ends. The TIS concludes the PM peak hour volumes generated by the Project plus reserved trips exceed the capacity of Rye Road and Golf Course Road. See *TIS*, page 19. The widening of Rye Road from Golf Course Road to SR 64 from 2-lanes to 4-lanes is required to meet the LOS (Level-of-Service) Standard. See Staff Report, page 17, and *TIS*, page 19. The widening of Golf course Road from Fort Hamer Road to Jim Davis Road is required to be four (4) lanes. The widening of Golf Course Road from Jim Davis Road to Rye Road requires four (4) lanes under a generalized capacity analysis. See *TIS* page 19 and Staff Report, page 23.
- W. The following two (2) ordinances applied to the southern portion of the Project (433.42± acres):
- (i) Ordinance No. PDR-01-09(Z)(P) adopted by the Board on January 29, 2022 approved a privately initiated rezone application for the southern portion of the Property (433.42± acres) the A (General Agriculture) to the PDR (Planned Development Residential) Zone District with a preliminary site plan ("Initial Preliminary Site Plan") to allow a 231 lot single-family subdivision. The Initial Preliminary Site Plan was never developed. See **Exhibit C**. See Staff Report, page 5. and

- (ii) Ordinance No. PDR-05-05(P) was adopted by the Board on March 29, 2005 to approve a new preliminary site plan (“Second Preliminary Site Plan”) to allow a 231 lot single-family residential subdivision, which was also not implemented (i.e. not built and the Second Preliminary Site Plan expired). See **Exhibit D**. See Staff Report, page 5.
  
- X. The Application requested approval a total of 733 single family dwelling units for the Project, a three-fold increase in density over the total 231 single family units requested in the expired Initial Preliminary Site Plan and expired Second Preliminary Site Plan. See Section W. above. Residents near the Property provided testimony related to density , flooding and traffic safety and circulation issues at or near the Property and the Project’s compatibility. See Staff Report for the April 23, 2026 Board Land Use Meeting and testimony from the January 15, 2026 Planning Commission public hearing and April 23, 2026 BOCC public hearing.
  
- Y. The following provisions, in addition to those referenced above, are relevant to the analysis of the Project’s consistency with the Comprehensive Plan and compliance with the LDC:
  - 1. Comprehensive Plan, Policy 2.2.1.11, UF-3: Establish the Urban Fringe-3 Future Land Use Category.
  
  - 2. Comprehensive Plan Policy 2.1.2.3, Future Land Use Element: "Permit the consideration of new residential and nonresidential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development, and compatible with future areas of development."
  
  - 3. Comprehensive Plan Policy 2.1.1.4, Future Land Use Element: “Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment.”
  
  - 4. Comprehensive Plan Policy 2.1.2.4, Future Land Use Element: "Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, in areas which are internal to, or are a contiguous expansion of the built environment."
  
  - 5. Comprehensive Plan Objective 2.9.1—Strong Communities, Future Land Use Element.

6. Comprehensive Plan Policy 2.1.2.7, Future Land Use Element: "Review all proposed development for compatibility and appropriate timing of development. . . ."
7. Comprehensive Plan Objective 2.6.1—Compatibility through Screening, Buffering, Setback, and Other Mitigative Measures, Future Land Use Element.
8. Comprehensive Plan Objective 2.6.2—Residential Compatibility/Transition, Future Land Use Element.
9. Comprehensive Plan Policy 2.2.1.6, Future Land Use Element: "The land development regulations may restrict development potential to less than the maximum provided for in this Comprehensive Plan, to address land use compatibility, public facility and natural resource considerations as identified in this Comprehensive Plan. Furthermore, nothing in this Comprehensive Plan shall guarantee the achievement of maximum development potential, noted in this element and the Future Land Use Map."
10. Comprehensive Plan Objective 2.3.3—Floodplain Management, Future Land Use Element.
11. Section 200, Definitions, Land Development Code, defines "Compatibility" to mean: "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."
12. LDC § 342.4.A - Review Criteria for All Zoning Map Amendments.
13. LDC § 402.6 - General Design Requirement for all Planned Development Site Plans.
14. LDC § 402.7.D. - PDR Standards.
15. LDC § 531.47. - Residential uses
16. LDC § 706.9.- Development Transfer Allowed for Wetlands and their Wetland Buffers.
17. LDC § 400.8. - Future Land Use Categories and Zoning District, Table 4-1, provides the implementing zoning district for the UF-3 FLUC:

The following table correlates individual zoning district with future land use category. Not all the zoning districts shown under a future land use category, however, are presumed to be appropriate for a site with that particular future land use designation. The factors listed in LDC § 342.3. (Rezone Criteria) need to be met in order to approve the zoning map amendment request.

Planned Development (PD) Districts are allowed within all Comprehensive Plan Future Land Use map categories, provided the rezoning request meets the requirements of LDC § 342.4. and is consistent with the Comprehensive Plan and corresponding Future Land Use designation. See **Exhibit D**, Table 4-12: Schedule of Uses for PD Districts.

UF-3 (Urban Fringe-3) FLUC: CON, A-1, RSF-1,RSF-2, RSF-3, RVP,RDD-3., MP-1, NC-S,NC-M, PR-S, PR-M,GC, RES-1 (Residential): CON, A, A-1, RSF-1, RVP, MP-1, NC-S, NC-M, PR-S, PR-M, and GC, subject to compliance with the Comprehensive Plan and LDC.

**Section 2. Conclusions.** Based upon the above findings, the Record, the Comprehensive Plan, and the LDC, the Board hereby makes the following conclusions:

- A. The Applicants failed to meet their burden of proving and demonstrating that the proposed rezone and the Project described in the Preliminary Site Plan, as contained in the Application are consistent with the Comprehensive Plan, and comply with the standards for approval in the applicable provisions of the LDC.
- B. The Applicants failed to demonstrate changed circumstances supporting a finding of compatibility for a three-fold increase in density over the expired preliminary site plans described in Section 1.W. herein The Applicants failed to demonstrate how the Project would promote safe traffic circulation patterns and not create any external impacts that would adversely affect surrounding development, uses, and zoning.
- C. The Applicants failed to include residential support uses, as defined in the LDC, to serve the proposed residential uses, as depicted in the Preliminary Site Plan to enhance trip capture rates and serve the surrounding area.
- D. Due to the above findings, the Record, the Comprehensive Plan and LDC, the Board finds that maintaining the existing A (General Agriculture) Zoning District for the 31.32±acres and PDR (Planned Development Residential) Zoning District (for the 433.42± acres) accomplishes a legitimate public purpose, and promotes the health, safety, and welfare of the public.

- E. The Board specifically denies the Application—specifically, Applicants’ proposed rezone request and the Project described in the Preliminary Site Plan applicable to the Property described in the legal description in **Exhibit A**.
- F. The existing A (General Agriculture) Zoning District of the 31.32± acres remains in full force and effect, and the Applicant may opt to request a change in use consistent with those listed under the A Zoning District, as detailed in LDC § 401.2: Uses in Agriculture and Residential District, LDC (See **Exhibit E**) subject to compliance with the Comprehensive Plan and LDC.
- G. The existing PDR (Planned Development Residential) Zoning District 433.42± acres remains in full force and effect, and the Applicant may opt to submit a general development plan, preliminary site plan or final site plan, as applicable, for a change in use consistent with those listed under the PDR Zoning District as detailed in Table 4-12: Schedule of Uses for PD Districts. (**Exhibit F**).

**Section 3. Severability.** It is hereby declared to be the intention of the Board that the phrases, clauses, sentences, paragraphs, and sections in this Resolution be deemed severable, and if any phrase, clause, sentence, paragraph or section hereof is declared unconstitutional or otherwise invalid by the valid judgement of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution.

**Section 4. Effective Date.** The effective date of this Resolution shall be the date of adoption of this Resolution.

**DULY ADOPTED**, with a quorum present and voting, this \_\_\_\_\_ day of May, 2026.

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

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

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

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

## EXHIBIT A

### LEGAL DESCRIPTION – 2531 RYE ROAD

**COMMENCE** AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 11 TOWNSHIP 34 SOUTH, RANGE 19 EAST, THENCE ALONG THE NORTH BOUNDARY LINE OF THE SOUTHEAST 1/4 OF SAID SECTION S 89°07'04" E, A DISTANCE OF 1310.99 FEET; TO THE **POINT OF BEGINNING**; THENCE S 89°17'45" E, A DISTANCE OF 984.69 FEET TO A POINT ON THE WESTERLY MAINTAINED RIGHT OF WAY OF NORTH RYE ROAD; THENCE S 03°25'33" E ALONG SAID MAINTAINED RIGHT OF WAY A DISTANCE OF 1323.31 FEET TO THE SOUTH BOUNDARY LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11; THENCE N 89°19'48" W, A DISTANCE OF 1082.11 FEET TO THE WEST BOUNDARY LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11; THENCE N 00°47'46" E ALONG SAID WEST BOUNDARY, A DISTANCE OF 1320.52 FEET; TO THE **POINT OF BEGINNING**.

### LEGAL DESCRIPTION – YORT, LLC

A PARCEL OF LAND LYING IN SECTION 10, 11, 13, 14 & 15, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 11 TOWNSHIP 34 SOUTH, RANGE 19 EAST, THENCE ALONG THE WEST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, S 00°17'19" W, A DISTANCE OF 1335.98 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 11; THENCE S 00°55'14" W, A DISTANCE OF 84.00 FEET; TO THE **POINT OF BEGINNING**; THENCE S 89°47'48" E, A DISTANCE OF 1299.94 FEET; THENCE S 89°19'48" E, A DISTANCE OF 1084.41 FEET TO THE WESTERLY MAINTAINED RIGHT OF WAY LINE OF NORTH RYE ROAD, THENCE ALONG SAID WESTERLY MAINTAINED RIGHT OF WAY THE FOLLOWING FOUR (4) COURSES; 1) S 03°20'57" E, A DISTANCE OF 970.55 FEET; 2) S 06°17'25" E, A DISTANCE OF 66.08 FEET; 3) S 13°02'29" E, A DISTANCE OF 880.45 FEET; 4) S 23°49'39" W, A DISTANCE OF 15.99 FEET; THENCE N 89°48'37" W, A DISTANCE OF 2672.39 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 14 ; THENCE S 00°22'50" W ALONG SAID EAST LINE A DISTANCE OF 1687 FEET MORE OR LESS TO THE NORTH ORDINARY HIGH WATER LINE OF MANATEE RIVER; THENCE MEANDER ALONG THE SAID NORTH ORDINARY HIGH WATER LINE FOR A DISTANCE OF 4697 FEET MORE OR LESS TO THE INTERSECTION WITH THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 15; THENCE N 01°09'15" E, A DISTANCE OF 2624 FEET MORE OR LESS TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 10; THENCE N 00°30'55" W, A DISTANCE OF 1322.37 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION

10; THENCE S 89°41'07" E, A DISTANCE OF 1340.48 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 11; THENCE S 89°20'17" E ALONG THE NORTH LINE OF SAID SOUTH 1/2 A DISTANCE OF 2470.26 FEET; THENCE S 00°37'00" W, A DISTANCE OF 84.00 FEET; THENCE S 89°20'13" E, A DISTANCE OF 133.53 FEET; TO THE **POINT OF BEGINNING**.

# EXHIBIT B

## Site Location Map

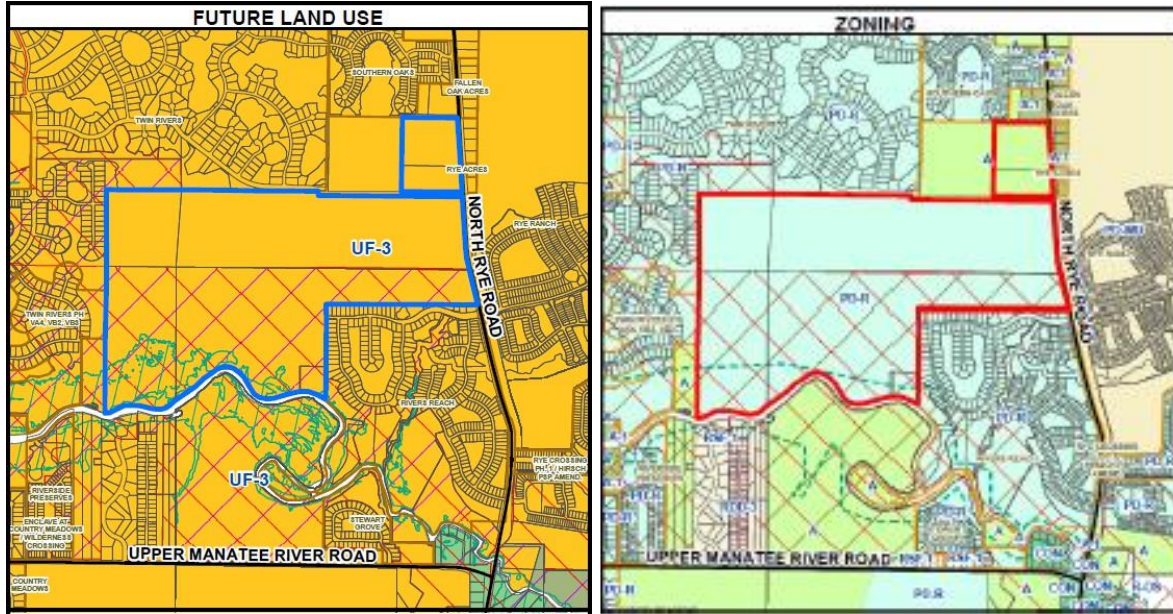


EXHIBIT C

MANATEE COUNTY ZONING ORDINANCE  
PDR-01-09(Z)(P) - RUTLAND RANCH/RIVER CHASE

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO. 90-01 (THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A (GENERAL AGRICULTURE, 1 DWELLING UNIT PER FIVE ACRES) AND A/CH (GENERAL AGRICULTURE, 1 DWELLING UNIT PER FIVE ACRES/COASTAL HIGH HAZARD OVERLAY) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL) RETAINING THE CH (COASTAL HIGH HAZARD) OVERLAY; PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 231 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND GRANTING SPECIAL APPROVAL FOR A PROJECT: 1) ADJACENT TO A PERENNIAL STREAM; 2) LOCATED WITHIN THE COASTAL EVACUATION AREA OVERLAY DISTRICT; 3) LOCATED WITHIN THE COASTAL PLANNING AREA; 4) LOCATED PARTIALLY WITHIN THE COASTAL HIGH HAZARD AREA; 5) LOCATED PARTIALLY IN THE COASTAL STORM VULNERABILITY AREA, AND 6) LOCATED PARTIALLY IN THE 25-YEAR FLOODPLAIN.

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2002 MAR 19 AM 9:55  
CLERK OF STATE  
TALLAHASSEE, FLORIDA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT. The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said County, as well as all other matters presented to said Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 4 of this Ordinance from A (General Agriculture, 1 dwelling unit per five acres) and A/CH (General Agriculture, 1 dwelling unit per five acres/Coastal High Hazard Overlay) to PDR (Planned Development Residential) retaining the CH (Coastal High Hazard) Overlay.

B. The Board of County Commissioners held a public hearing on January 29, 2002 regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code, and has further considered the information received at said public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan.

Section 2. The Preliminary Site Plan is hereby APPROVED to allow a 231 lot single-family residential subdivision, and GRANTING Special Approval for a project: 1) adjacent to a perennial stream; 2) located within the Coastal Evacuation Area Overlay District; 3) located within the Coastal Planning Area; 4) located partially within the Coastal High Hazard Area; 5)

located partially in the Coastal Storm Vulnerability Area, and 6) located partially in the 25-year floodplain subject to the following stipulations and specific approvals:

STIPULATIONS

A. FLOODPLAIN MANAGEMENT AND DRAINAGE CONDITIONS:

- A.1 No lots shall be platted through the pre-development 25-year floodplain or the regulatory floodway. The area south of the 25-year floodplain, along with what the Preliminary Site Plan identifies as Ranch Lots 42 thru 51, shall be dedicated to the County as a conservation easement. This area may be used for passive recreation. A conservation easement in a form acceptable to the County Attorney's Office, shall be submitted for review and approval prior to Final Plat approval. The Final Site Plan shall reflect the relocation of proposed lots in the pre-development 25-year floodplain to an area outside of the pre-development 25-year floodplain. These revisions may include the shifting of lots to maintain the approved total number of lots and any necessary changes to roadways, which do not affect the external access points. Said revisions may be made administratively and will not require an amendment to the Preliminary Site Plan. No floodplain compensation areas shall be located within the FEMA floodway.
- A.2 The project shall not increase the FEMA 100-year floodplain, or base flood elevations; and shall meet all FEMA requirements and guidelines, where applicable. Additionally, there shall be a "No Rise Certification" on the regulatory floodway.
- A.3 Any roadway construction within the 100-year floodplain be elevated above the 100 year contour elevation.
- A.4 Any fill within the 25-year or 100-year floodplains of the Manatee River shall be compensated by creation of an equal or greater storage volume above the seasonal high water table.
- A.5 All wastewater lift stations, service cleanouts, and manhole rims shall be set 12 inches above the 25-year floodplain or 4 inches above the 100-year flood elevation, whichever is higher. However, the Project Management Department may approve service cleanouts and manhole rims installed no lower than 4" above the 25 year flood elevation. Design drawings must demonstrate tamper proof water tight manholes and cleanouts. Lift stations hatches shall be at least 4" above the 100-year elevation or 12" above the 25-year flood elevation, whichever is higher.
- A.6 This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into the Gamble Creek. Modeling shall be used to determine pre- and post- development flows.
- A.7 Drainage at the Rye Road (Goddard Branch) crossing and additional right-of-way or drainage easements for the road side ditches will be addressed at construction plan review.
- A.8 Final engineering drainage design shall be approved with the Final Site Plan.

FINAL PLAT SUBMITTAL DOCUMENT

- A.9 A conservation easement, in a form acceptable to the County Attorney's Office, shall be provided to the County prior to Final Plat approvals for any floodplain compensation areas on non-common property. The easement shall prohibit the alteration of these floodplain compensation areas.
- B. INFRASTRUCTURE CONDITIONS:
- B.1 The applicant shall be responsible for bringing County water and sewer to the site. This approval is contingent upon the site being served by public utilities.
- B.2 The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited, including on individual lots.
- B.3 The applicant shall install dry lines for hook-up to future reuse lines and shall be provided for the entire subdivision, for both common area irrigation and single lot irrigation. At such time that reclaimed lines become available, use of stormwater or groundwater for irrigation shall be converted to reclaimed lines.
- B.4 The Engineer of Record/Architect must provide documentation to prove that concurrency has been met relative to fire flow per Section 9.6.14 of the Comprehensive Plan prior to Final Site Plan approval.
- C. ENVIRONMENTAL CONDITIONS:
- C.1 The section of the trail located north of Ranch Lot 51 shall be relocated outside of the wetland. EMD will approve the final location with the Final Site Plan.
- C.2 An Integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides and herbicides shall be submitted to the EMD for review and approval prior to Final Site Plan approval. Where practicable, native, xeriscape landscape materials shall be utilized in common areas. In addition, the developer shall encourage individual homeowner's to participate in the Florida Yards and Neighborhood Program by disseminating program information to individual lot owners.
- C.3 Prior to Final Plat approval, the applicant shall remove all nuisance exotic plant species from upland portions of the project site, as required pursuant to Comprehensive Plan Policy 4.1.2.3.
- C.4 The applicant shall provide signs adjacent to wetland buffers and conservation easements indicating that the area is a "Conservation Area." The type and location of such signs will be approved by the EMD prior to Final Site Plan approval.
- C.5 A minimum fifteen foot building setback shall be provided between the upland edge of the wetland buffer and any adjacent structures in accordance with Section 702.6.10 of the LDC, unless otherwise approved by EMD.
- C.6 Prior to development related land clearing activities, all applicable County approvals must be obtained through the Planning Department. If burning of trees and/or branches is

required for land clearing, a burn permit must be first obtained from the Environmental Management Department. No burn permits will be issued until Final Site Plans/Construction Plans are approved.

- C.7 Any significant historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offenses Concerning Dead Bodies and Graves) shall be followed.
- C.8 The applicant shall preserve a minimum of 7% of each native upland habitat found on-site. This shall be reviewed and approved by the EMD prior to Final Site Plan approval.
- C.9 The following lots, as identified on the Preliminary Site Plan, shall be redesigned so as not to be platted thru wetlands or wetland buffers:
- Ranch Lots 19 thru 22, 31 and 32, and the rear of Ranch Lots 29 and 30,
  - Estate Lot 14 and 32
  - Executive Lots 13 thru 20, 25 thru 31
- C.10 No docks shall be permitted within this development.
- C.11 Prior to Final Site Plan approval, the applicant shall submit a Well Management Plan. The applicant should contact the EMD Water Well Permitting Program for additional information required in the plan.
- C.12 An application for Fugitive Particulate abatement must be submitted to the Environmental Management Department at the time of Final Site Plan submittal and approved with the Final Site Plan.
- D. PUBLIC SAFETY AND TRANSPORTATION CONDITIONS:
- D.1 Prior to Final Site Plan Approval, the applicant shall gain approval of a Hurricane Evacuation Plan and Disaster Plan from the Director of Public Safety. The plan shall ensure delivery of the Manatee County "All-Hazard Guide" and Red Cross brochure "Your Family Disaster Plan" to each homeowner, and assure of receipt or posting of an evacuation zone map. The Homeowner's Association shall ensure that all subsequent purchasers receive copies of these documents.
- D.2 The applicant and their heirs, assigns, or transferees, are hereby notified that a payment of an impact fee or special assessment for emergency shelter facilities shall be required if such a fee is adopted by the Board of County Commissioners prior to Certificate of Occupancy.

- D.3 The Notice to Buyers, disclosure statements, and Final Site Plan shall include language to inform homeowners in the project of the Hurricane Evacuation Plan approved by the Public Safety Department for this project.
- D.4 Prior to the final plat approval for the 100<sup>th</sup> unit, the following site related improvements are required:
  - A. Provide an additional northbound left-turn lane at the intersection of SR 64 and Lakewood Ranch Boulevard/Upper Manatee River Road.
  - B. Signalize the intersection of SR 64 and Rye Road. If at the time of Final Plat Approval the signal does not meet warrants, then the Developer will contribute a proportionate share for the future construction of this signal.
  - C. All improvements must be shown on the construction plans. State Road improvements are subject to FDOT approval.
- D.5 Prior to the first Final Plat approval, the following site related improvements are required:
  - a. Provide a northbound left-turn lane at the project main access on Rye Road.
  - b. The Final Site Plan and Construction Plans shall include right-turn refuge lanes, in-bound and out-bound, at the project entrance at Rye Road.
- D.6 All traffic control signage and pavement markings, if warranted, shall conform to FDOT and MUTCD standards.
- D.7 Dedication of additional right-of-way along Rye Road to Manatee County to provide a 60 foot half-width right-of-way shall be made with the first Final Plat.
- D.8 Notices to Buyers, Disclosure Statements, and Final Site Plans shall include language to inform homeowners in the project that this project is downstream of the Lake Manatee Dam, and that the dam is not designed or intended to be operated as a flood control device. Manatee County routinely releases water from the reservoir in anticipation of and during heavy rain events. In the worst case scenario, waters released from the dam, when combined with waters from storm events, may exceed the mapped 25-year and 100-year floodplains. This project has been designed to account for the 100-year storm event. In the worst case scenario, your property, similar to other properties in Manatee County, may flood.
- E. DESIGN AND LAND USE CONDITIONS:
  - E.1 At time of Final Site Plan, the northern inter-neighborhood tie may be shifted to the east, along the north boundary of the site, as approved by the Planning and Transportation Departments, to provide a proper alignment with the future extension of Mulholland Road.
  - E.2 The pavement and sidewalk for the northern inter-neighborhood tie shall be extended to the north boundary line of the project and shall be depicted as such on all future site plans.
  - E.3 A non-ingress egress easement shall be recorded along the frontage of all lots along North Rye Road, except for Ranch Lot 21, prior to first Final Plat approval.

- E.4 The 20 foot greenbelt along the north and southeast boundary lines shall be planted with two offset rows of canopy trees placed 40 feet on center. The two rows will be offset from each other to give the appearance of trees located 20 feet on center.
- E.5 The 30 foot roadway buffer along North Rye Road shall be planted with three rows of trees (first row planted with canopy trees, second row may be planted with understory trees and the third row planted with canopy trees) spaced 40 feet on center, with 33 shrubs per 100 linear feet.
- E.6 Existing native vegetation shall be preserved to meet screening requirements, unless otherwise approved by the Environmental Management Department (EMD).
- E.7 An interneighborhood tie shall be provided to the south, in the vicinity of Ranch Lots 27 and 28. The final location shall be reviewed and approved by staff with the Final Site Plan.
- E.8 The recreational amenities within the 4.8 acre park (the tot lot, basketball court, soccer or baseball field, benches, and bike rack) and the nature trail (path, boardwalks, benches and educational signs) shall be constructed or bonded prior to Final Plat approval of the second phase.
- E.9 The tot lot shall contain commercial grade playground equipment.
- E.10 The Notice-to-Buyers, along with a note on any Final Subdivision Plat which includes these area, shall inform all lot owners of the presence of inter-neighborhood ties and the possible future extension of Mulholland Road along  
  
the north property line extending to North Rye Road, and that traffic from the surrounding properties, when developed, may use the roads within this development.
- E.11 The Notice to Buyers and the Final Site Plan shall include language to inform homeowners of the presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.
- E.12 The applicant and their heirs, assigns, or transferees, are hereby notified that a payment of an impact fee for school purposes shall be required when and if such impact fee is adopted by the School Board of Manatee County or the Board of County Commissioners.
- E.13 The 15 foot wide common area landscape buffer located along the boulevard entrance shall be extended to the west property line of Estate Lot 32, as identified on the Preliminary Site Plan.
- E.14 Prior to Final Plat approval for each phase all existing barbed-wire fencing must be removed.
- E.15 Pedestrian and equestrian trail facilities shall be provided along Rye Road for the length of the project. The type of construction and construction details shall be determined at Final Site Plan.

SPECIFIC APPROVALS:

1. Specific Approval of an alternative to Section 907.9.4.1 of the Manatee County Land Development Code to allow the northern most cu-de-sac, near Ranch Lots 5 and 6, to be longer than 800 feet.
2. Specific Approval of an alternative to Section 907.9.4.1 of the Manatee County Land Development Code to allow the southern most cu-de-sac, near Ranch Lots 18 - 23, to be longer than 800 feet.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from A (General Agriculture, 1 dwelling unit per five acres) and A/CH (General Agriculture, 1 dwelling unit per five acres/Coastal High Hazard Overlay) to PDR (Planned Development Residential) retaining the CH (Coastal High Hazard) Overlay, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

ALL THAT PORTION OF THE FOLLOWING DESCRIBED IN TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, LYING WEST OF THE WESTERLY RIGHT-OF-WAY OF RYE ROAD:

IN SECTION 10:  
THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4

IN SECTION 11:  
THE SOUTH 1/4, LESS THE FOLLOWING DESCRIBED PROPERTY:  
THE NORTH 84 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 LYING WEST OF RYE ROAD, AND THE NORTH 84 FEET OF THE EAST 134 FEET OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 34 SOUTH, RANGE 19 EAST.

IN SECTION 13:  
THE NORTHWEST 1/4 LESS THAT PART DESCRIBED AS: BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4, RUN THENCE S 00° 07' 49" W, ALONG THE WEST LINE THEREOF 665.05 FEET TO THE POINT OF BEGINNING, CONTINUE THENCE SOUTH ALONG THE WEST LINE OF THE NORTHWEST 1/4 TO THE SOUTHWEST CORNER THEREOF, THENCE EAST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 TO THE WESTERLY RIGHT-OF-WAY LINE OF THE COUNTY ROAD (KNOWN AS RYE ROAD), THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO A POINT N 89° 25' 27" E, OF THE POINT OF BEGINNING, THENCE S 89° 25' 27" W 50.48 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

IN SECTION 14:  
THE NORTH 1/4 OF NORTHEAST 1/4, AND THAT PART OF THE NORTHWEST 1/4 LYING NORTH OF THE MANATEE RIVER.

IN SECTION 15:  
THAT PART OF THE EAST 1/4 LYING NORTH OF THE MANATEE RIVER.


Section 5. 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, by the Board of County Commissioners of Manatee County, Florida on the 29<sup>th</sup> day of January, 2002.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: *Guy Stearns*  
Chairman, 3-12-02

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

By: *Russell Romine*  




STATE OF FLORIDA, COUNTY OF MANATEE  
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 14<sup>th</sup> day of

March, 2002

R. B. SHORE  
Clerk of Circuit Court

By: *Kent Hedberg*

**DIVISIONS OF FLORIDA DEPARTMENT OF STATE**

Office of the Secretary  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs  
Division of Elections  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing

MEMBER OF THE FLORIDA CABINET



**FLORIDA DEPARTMENT OF STATE**

**Katherine Harris**

Secretary of State

DIVISION OF ELECTIONS

**HISTORIC PRESERVATION BOARDS**

Historic Florida Keys Preservation Board  
Historic Palm Beach County Preservation Board  
Historic Pensacola Preservation Board  
Historic St. Augustine Preservation Board  
Historic Tallahassee Preservation Board  
Historic Tampa/Hillsborough County  
Preservation Board

RINGLING MUSEUM OF ART

March 19, 2002

Honorable R. B. Shore  
Clerk of the Circuit Court and Comptroller  
Manatee County  
Post Office Box 1000  
Bradenton, Florida 34206

Attention: Diane E. Vollmer

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated March 14, 2002 and certified copy of Manatee County Ordinance No. PDR-01-09(Z)(P), which was filed in this office on March 19, 2002.

Please be advised that the Florida County Ordinance Data Retrieval System (CODRS) Coding Form was not received for the above mentioned ordinance.

As requested, the original date stamped copy is being returned for your records.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

Enclosure

**BUREAU OF ADMINISTRATIVE CODE**

The Collins Building • 107 West Gaines Street • Tallahassee, Florida 32399-0250 • (850) 245-6270  
FAX: (850) 245-6282 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: [election@mail.dos.state.fl.us](mailto:election@mail.dos.state.fl.us)

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EXHIBIT D

PRELIMINARY SITE PLAN  
PDR-05-05(P) – YORT, LLC/RIVER CHASE

THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, having specifically considered the recommendation of the Planning Commission, the criteria set forth in Manatee County Ordinance No. 90-01 (the Manatee County Land Development Code); and finding PDR-05-05(P) consistent with Manatee County Ordinance No. 89-01 (the 2020 Manatee County Comprehensive Plan), PRELIMINARY SITE PLAN PDR-05-05(P) – YORT, LCC/RIVER CHASE is hereby approved to allow 231 lot single-family residential subdivision, and GRANTING Special Approval for a project: 1) adjacent to a perennial stream; 2) within the Coastal Evacuation Area Overlay District; 3) partially within the Coastal High Hazard Area; 4) partially in the Coastal Storm Vulnerability Area, and 5) partially in the 25-year floodplain subject to the following stipulations and specific approval:

STIPULATIONS:

A. FLOODPLAIN MANAGEMENT AND DRAINAGE CONDITIONS:

A.1 No lots shall be platted through the pre-development 25-year floodplain or the regulatory floodway. The area south of the 25-year floodplain, along with what the Preliminary Site Plan identifies as Ranch Lots 42 through 51, shall be dedicated to the County as a conservation easement. This area may be used for passive recreation. A conservation easement in a form acceptable to the County Attorney's Office shall be submitted for review and approval prior to Final Plat approval. The Final Site Plan shall reflect the relocation of proposed lots in the pre-development 25-year floodplain to an area outside of the pre-development 25-year floodplain. These revisions may include the shifting of lots to maintain the approved total number of lots and any necessary changes to roadways, which do not affect the external access points. Said revisions may be made administratively and will not require an amendment to the Preliminary Site Plan. No floodplain compensation areas shall be located within the FEMA floodway.

A.2 The project shall not increase the FEMA 100-year floodplain, or base flood elevations; and shall meet all FEMA requirements and guidelines, where applicable. Additionally, there shall be a "No Rise Certification" on the regulatory floodway.

A.3 Any roadway construction within the 100-year floodplain be elevated above the 100 year contour elevation.

A.4 Any fill within the 25-year or 100-year floodplains of the Manatee River shall be compensated by creation of an equal or greater storage volume above the seasonal high water table.

A.5 All wastewater lift stations, service cleanouts, and manhole rims shall be set 12 inches above the 25-year floodplain or 4 inches above the 100-year flood elevation, whichever is higher. However, the Project Management Department may approve service cleanouts and manhole rims installed no lower than 4" above the 25 year flood elevation. Design drawings must demonstrate tamper proof water tight manholes and cleanouts. Lift stations hatches shall be at least 4" above the 100-year elevation or 12" above the 25-year flood elevation, whichever is higher.

A.6 This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into the Gamble Creek. Modeling shall be used to determine pre- and post- development flows.

A.7 Drainage at the Rye Road (Goddard Branch) crossing and additional right-of-way or drainage easements for the road side ditches will be addressed at Construction Plan review.

A.8 Final engineering drainage design shall be approved with the Final Site Plan.

A.9 A conservation easement, in a form acceptable to the County Attorney's Office, shall be provided to the County prior to Final Plat approvals for any floodplain compensation areas on non-common property. The easement shall prohibit the alteration of these floodplain compensation areas.

A.10 There shall be a full 25-year flood attenuation on all stormwater ponds within the development.

A.11 The existing 25-year flood elevation along the Manatee River shall be utilized as tailwater condition.

A.12 The Drainage Model and Construction Plan shall demonstrate that no adverse impacts be created to neighboring residents surrounding the site in respect to drainage routing, grading, and site runoff.

A.13 A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plats along Goddard Creek within the project boundaries. In addition, a 25 feet wide Drainage Maintenance and Access Easement shall be dedicated on at least on side of Goddard Creek. The developer shall include in the Notice to Buyers that Manatee County has no obligation relative to Goddard Creek to maintain, change, improve, clean, repair erosion, or restore the natural changes in the course of the stream bed.

**B. INFRASTRUCTURE CONDITIONS:**

B.1 The applicant shall be responsible for bringing County water and sewer to the site. This approval is contingent upon the site being served by public utilities.

B.2 The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited, including on individual lots.

B.3 The applicant shall install dry lines for hook-up to future reuse lines and shall be provided for the entire subdivision, for both common area irrigation and single lot irrigation. At such time that reclaimed lines become available, use of stormwater or groundwater for irrigation shall be converted to reclaimed lines.

B.4 The Engineer of Record/Architect must provide documentation to prove that concurrency has been met relative to fire flow per Section 9.6.14 of the Comprehensive Plan prior to Final Site Plan approval.

**C. ENVIRONMENTAL CONDITIONS:**

C.1 The section of the trail located north of Ranch Lot 51 shall be relocated outside of the wetland. The Natural Resource Division (NRD) of the Planning Department will approve the final location with the Final Site Plan.

C.2 An Integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides and herbicides shall be submitted to the NRD for review and approval prior to Final Site Plan approval. Where practicable, native, xeriscape landscape materials shall be utilized in common areas. In addition, the developer shall encourage individual homeowner's to participate in the Florida Yards and Neighborhood Program by disseminating program information to individual lot owners.

C.3 Prior to Final Plat approval, the applicant shall remove all nuisance exotic plant species from upland portions of the project site, as required pursuant to Comprehensive Plan Policy 4.1.2.3.

C.4 The applicant shall provide signs adjacent to wetland buffers and conservation easements indicating that the area is a "Conservation Area." The type and location of such signs will be approved by the NRD prior to Final Site Plan approval.

C.5 A minimum fifteen foot building setback shall be provided between the upland edge of the wetland buffer and any adjacent structures in accordance with Section 702.6.10 of the LDC, unless otherwise approved by NRD.

C.6 Prior to development related land clearing activities, all applicable County approvals must be obtained through the Planning Department. If burning of trees and/or branches is required for land clearing, a burn permit must be first obtained from the Environmental Management Department. No burn permits will be issued until Final Site Plans/Construction Plans are approved.

C.7 Any significant historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offenses Concerning Dead Bodies and Graves) shall be followed.

C.8 The applicant shall preserve a minimum of 7% of each native upland habitat found on-site. This shall be reviewed and approved by the NRD prior to Final Site Plan approval.

C.9 The following lots, as identified on the Preliminary Site Plan, shall be redesigned so as not to be platted through wetlands or wetland buffers:

- Ranch Lots 19 through 22, 31 and 32, and the rear of Ranch Lots 29 and 30,
- Estate Lot 14 and 32
- Executive Lots 13 through 20, 25 through 31

C.10 No docks shall be permitted within this development.

C.11 Prior to Final Site Plan approval, the applicant shall submit a Well Management Plan. The applicant should contact the EMD Water Well Permitting Program for additional information required in the plan.

C.12 An application for Fugitive Particulate abatement must be submitted to the Environmental Management Department at the time of Final Site Plan submittal and approved with the Final Site Plan.

**D. PUBLIC SAFETY AND TRANSPORTATION CONDITIONS:**

D.1 Prior to Final Site Plan Approval, the applicant shall gain approval of a Hurricane Evacuation Plan and Disaster Plan from the Director of Public Safety. The plan shall ensure delivery of the Manatee County "All-Hazard Guide" and Red Cross brochure "Your Family Disaster Plan" to each homeowner, and assure of receipt or posting of an evacuation zone map. The Homeowner's Association shall ensure that all subsequent purchasers receive copies of these documents.

D.2 The applicant and their heirs, assigns, or transferees, are hereby notified that a payment of an impact fee or special assessment for emergency shelter facilities shall be required if such a fee is adopted by the Board of County Commissioners prior to Certificate of Occupancy.

D.3 The Notices to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan and shall include language to inform homeowners in the project of the Hurricane Evacuation Plan approved by the Public Safety Department for this project.

D.4 Dedication of additional right-of-way along Rye Road to Manatee County to provide a 60 foot half-width right-of-way shall be made with the first Final Plat.

D.5 The Notices to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan and shall include language to inform homeowners in the project that this project is downstream of the Lake Manatee Dam, and that the dam is not designed or intended to be operated as a flood control device. Manatee County routinely releases water from the reservoir in anticipation of and during heavy rain events. In the worst case scenario, waters released from the dam, when combined with waters from storm events, may exceed the mapped 25-year and 100-year floodplains. This project has been designed to account for the 100-year storm event. In the worst case scenario, your property, similar to other properties in Manatee County, may flood.

E. DESIGN AND LAND USE CONDITIONS:

E.1 At time of Final Site Plan, the northern inter-neighborhood tie may be shifted to the east, along the north boundary of the site, as approved by the Planning and Transportation Departments, to provide a proper alignment with the future extension of Mulholland Road.

E.2 The pavement and sidewalk for the northern inter-neighborhood tie shall be extended to the north boundary line of the project and shall be depicted as such on all future site plans.

E.3 A non-ingress egress easement shall be recorded along the frontage of all lots along North Rye Road, except for Ranch Lot 21, prior to first Final Plat approval.

E.4 The 20 foot greenbelt along the north and southeast boundary lines shall be planted with two offset rows of canopy trees placed 40 feet on center, with 33 shrubs per 100 linear feet. The two rows will be offset from each other to give the appearance of trees located 20 feet on center. The NRD of the Planning Department shall review the design with the Final Site Plan, if found appropriate by NRD, the type or quantity of trees may be revised.

E.5 The 30 foot roadway buffer along North Rye Road shall be planted with three rows of trees (first row planted with under story trees, second row planted with canopy trees and the third row planted with under story trees) spaced 40 feet on center, with 33 shrubs per 100 linear feet. The NRD of the Planning Department shall review the design with the Final Site Plan, if found appropriate by NRD, the type or quantity of trees may be revised.

E.6 Existing native vegetation shall be preserved to meet screening requirements, unless otherwise approved by the NRD.

E.7 An interneighborhood tie shall be provided to the south, in the vicinity of Ranch Lot 25, and to the east, in the vicinity of Ranch Lot 38. The final locations shall be reviewed and approved by staff with the Final Site Plan. The ties shall connect with the proposed ties in the Water's Edge Subdivision to the south and east.

E.8 The recreational amenities within the 4.8 acre park (the tot lot, basketball court, soccer or baseball field, benches, and bike rack) and the nature trail (path, boardwalks, benches and educational signs) shall be constructed or bonded prior to Final Plat approval of the second phase.

E.9 The tot lot shall contain commercial grade playground equipment and five shade trees.

E.10 The Notices to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan and shall include language to inform homeowners of the presence of inter-neighborhood ties and the possible future extension of Mulholland Road along the north property line extending to North Rye Road, and that traffic from the surrounding properties, when developed, may use the roads within this development.

E.11 The Notices to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan and shall include language to inform homeowners of the presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.

E.12 The 15 foot wide common area landscape buffer located along the boulevard entrance shall be extended to the west property line of Estate Lot 32, as identified on the Preliminary Site Plan.

E.13 Prior to Final Plat approval for each phase all existing barbed-wire fencing must be removed.

E.14 Pedestrian and equestrian trail facilities shall be provided along Rye Road for the length of the project. The type of construction and construction details shall be determined at Final Site Plan.

E.15 No lots shall be platted through the greenbelt or roadway buffers. The rear yard building setback for Ranch Lots 3 through 13 shall be 30 feet. The rear yard building setback for Ranch Lots 14, 15, 18, and 19 shall be 20 feet.

SPECIFIC APPROVALS:

1. Specific Approval of an alternative to Section 907.9.4.1 of the Manatee County Land Development Code to allow: (1) the northern most cul-de-sac to be 1,150 feet in length, with an inter-neighborhood tie to connect to the future extension of Mulholland Road; and (2) the southern most cul-de-sac to be 1,200 feet in length, with a hammerhead turnaround provided at 800 feet until the inter-neighborhood tie is constructed to the subdivision to the south (Water's Edge).

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 29<sup>th</sup> day of March, 2005.

BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

BY:

  
Chairman



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

By: GACEXADO, D.C.

**EXHIBIT E**

**Table 4-2: Uses in Agriculture and Residential Districts**

Land Use	See Sec. #	CON	R/O S	A	A-1	RS F	RSM H	RD D	RMF	VIL
<b>AGRICULTURAL USES</b>										
Agricultural Research Facilities	—	X	X	P	P	X	X	X	X	P
Agricultural Uses	531.1	SP	SP	P	P	SP	SP	SP	SP	P
Agricultural Products Processing Plants	531.1	X	X	P	X	X	X	X	X	SP
Animal Products Processing Facility	531.1	X	X	SP	X	X	X	X	X	SP
Short Term Agricultural Uses	531.1	X	X	P	P	P	P	P	P	P
Stables or Equestrian Centers: Private	531.41	X	X	P	P	X	X	X	X	P
Stables or Equestrian Centers: Public	531.41	X	X	P	P	X	X	X	X	P
Tree Farm	531.1	P	P	P	P	P	P	P	P	P
Animal Services (Wild and Exotic)	531.5	P	P	P	P	P	P	P	P	P
Breeding Facility (Non-Wild & Exotic)	531.8	X	X	P	SP	X	X	X	X	P
Farming Service Establishments	531.18	X	X	P	SP	X	X	X	X	P
Farm Worker Housing	531.19	X	X	P	SP	X	X	X	X	SP
Pet Service (Kennel) Establishments	531.38	X	X	P	SP	X	X	X	X	SP
Sawmills	531.1	X	X	P	X	X	X	X	X	SP
Slaughterhouses	531.1	X	X	SP	X	X	X	X	X	X
Stockyards and Feedlots	531.1	X	X	SP	X	X	X	X	X	SP
Veterinary Hospitals	531.58	X	X	P	SP	X	X	X	X	P
<b>COMMERCIAL - RETAIL</b>										
Alcoholic Beverage Establishment	531.4	X	X	X	X	X	X	X	X	X
Alcoholic Beverage Establishment - 2 COP License	531.4	X	X	X	X	X	X	X	X	X
Auction Houses, Enclosed	—	X	X	X	X	X	X	X	X	X
Auction Houses, Open	531.6	X	X	X	X	X	X	X	X	X
Building Materials Sales Establishment	531.9	X	X	X	X	X	X	X	X	SP
Lumberyard	531.9	X	X	P	X	X	X	X	X	X

Drive-Through Establishments	531.16	X	X	X	X	X	X	X	X	P
Food Truck Park	531.64	X	X	X	X	X	X	X	X	P
Gas Pumps	531.51	X	X	X	X	X	X	X	X	P
Mobile Vending Park	531.65	X	X	X	X	X	X	X	X	P
Recreational Vehicle/Mobile Home Sales, Rental & Leasing	531.43	X	X	X	X	X	X	X	X	SP
Restaurant	531.48	X	X	X	X	X	X	X	X	P
Retail Sales, Neighborhood Convenience	531.49	X	X	X	X	X	X	X	X/P <sup>1</sup>	P
Retail Sales, General	531.49	X	X	X	X	X	X	X	X	P/SP
Service Station	531.51	X	X	X	X	X	X	X	X	SP
Vehicle Sales, Rental, Leasing	531.57	X	X	X	X	X	X	X	X	SP
<b>COMMERCIAL - SERVICES</b>										
Banking: Bank	—	X	X	X	X	X	X	X	X	P
Banking: Bank/Drive-through	531.16	X	X	X	X	X	X	X	X	P
Bed and Breakfast	531.7	X	X	P	SP	SP	X	P	P	P
Business Services	—	X	X	X	X	X	X	X	X	P
Printing, Medium	—	X	X	X	X	X	X	X	X	P
Printing, Small	—	X	X	X	X	X	X	X	X	P
Car Wash: Full Service	531.10	X	X	X	X	X	X	X	X	X
Car Wash: Incidental	531.10	X	X	X	X	X	X	X	X	SP
Car Wash: Self-Service	531.10	X	X	X	X	X	X	X	X	P
Clinics	—	X	X	X	X	X	X	X	X	P
Equipment sales, rental, leasing, storing and repair - heavy	531.18	X	X	P	SP	X	X	X	X	P
Construction equipment	531.18	X	X	X	X	X	X	X	X	SP
Equipment Sales, rental, leasing, storage and repair - light	—	X	X	P	SP	X	X	X	X	P
Food Catering Service Establishment	531.21	X	X	X	X	X	X	X	X	X
Free Standing Emergency Department (FSED) <sup>3</sup>	531.62	X	X	X	X	X	X	X	X	X
Funeral Chapel	531.22	X	X	P	P	SP	SP	SP	SP	P
Funeral Home	531.22	X	X	SP	SP	SP	SP	SP	SP	SP
Hospital <sup>2</sup>	—	X	X	X	X	X	X	X	X	X
Intensive Services: All Others	531.26	X	X	X	X	X	X	X	X	P

Intensive Services: Exterminating and Pest Control	531.26	X	X	X	X	X	X	X	X	P
Intensive Services: Printing, Heavy	—	X	X	X	X	X	X	X	X	X
Intensive Services: Industrial Service Establishment	531.26	X	X	X	X	X	X	X	X	P
Intensive Services: Sign Painting Service	531.26	X	X	X	X	X	X	X	X	P
Intensive Services: Taxi-Cab, Limousine Service	531.26	X	X	X	X	X	X	X	X	X
Laboratories, Medical and Dental	—	X	X	X	X	X	X	X	X	P
Lodging Places: Boarding House	531.28	X	X	X	X	X	X	X	P	X
Lodging Places: Boatel	531.28	X	X	X	X	X	X	X	X	X
Lodging Places: Dormitories	531.28	X	X	X	X	X	X	X	P	X
Lodging Places: Hospital Guest House	531.28	X	X	X	X	X	X	X	SP	X
Lodging Places: Hotel/motel	531.28	X	X	X	X	X	X	X	X	SP
Office	531.61	X	X	P	P	P	P	P	P	P
Personal Service Establishment	—	X	X	X	X	X	X	X	X	P
Dry Cleaners: Pick-up	—	X	X	X	X	X	X	X	X	P
Rental Service Establishment	—	X	X	X	X	X	X	X	X	P
Repair Service Establishment	—	X	X	X	X	X	X	X	X	P
Recreational Vehicle Parks and subdivisions	531.42	X	X	X	X	X	X	X	X	SP
Vehicle Repair: Major	531.56	X	X	X	X	X	X	X	X	X
Vehicle Repair: Community Serving	—	X	X	X	X	X	X	X	X	SP
Vehicle Repair: Neighborhood Serving	—	X	X	X	X	X	X	X	X	SP
Veterinary Clinic	531.58	X	X	P	SP	X	X	X	X	P
Wholesale Trade Establishment	—	X	X	X	X	X	X	X	X	X
<b>INDUSTRIAL</b>										
Industrial, Heavy	531.25	X	X	X	X	X	X	X	X	X
Firework/Sparkler Manufacture	531.25	X	X	X	X	X	X	X	X	X
Industrial, Light	531.25	X	X	X	X	X	X	X	X	X

Research and Development Activities	—	X	X	X	X	X	X	X	X	X
<b>COMMUNITY SERVICE USES</b>										
Civic, Social, and Fraternal Organizations/Clubs	531.14	X	X	P	P/SP	P/S P	P/ SP	P/S P	P/SP	P
Correctional Facilities: Community	—	X	X	SP	X	X	X	X	X	X
Correctional Facilities: Major	—	X	X	SP	X	X	X	X	X	X
Cultural Facilities	531.15	X	X	P	P	SP	SP	SP	SP	SP
Emergency Shelters	531.45	X	X	P/S P	P/SP	P/S P	P/ SP	P/S P	P/SP	P
Emergency Shelter Home	531.45	X	X	P	P	P	P	P	P	X
Personal Wireless Service Facilities	531.37	See Section 531.37								
Public Community Uses	531.39	X	X	P	P/SP	P/S P	P/ SP	P/S P	P/SP	P
Public Use Facilities	531.40	X	X	P	P	P	P	P	P	P
Post Offices	—	X	X	P	P	P	P	P	P	P
Radio, TV, Communications, Microwave Facilities	—	SP	SP	P/S P	SP	SP	SP	SP	SP	X
Rehabilitation Center	531.44	X	X	SP	SP	SP	SP	SP	SP	SP
Utility Use	531.54	SP	SP	P	P	P	P	P	P	P
Alternative Energy Generation Facility	531.54	X	X	P	X	X	X	X	X	X
Utility Use, Heavy	531.54	X	X	X	X	X	X	X	X	X
<b>MISCELLANEOUS USES</b>										
Flea Markets: Enclosed	531.20	X	X	X	X	X	X	X	X	X
Flea Markets: Open	531.20	X	X	X	X	X	X	X	X	X
Intensive Services: Towing Service and Storage Establishment	531.26	X	X	X	X	X	X	X	X	X
Outdoor Advertising Signs	—	X	X	X	X	X	X	X	X	X
Outdoor Storage (Principal Use)	531.36	X	X	X	X	X	X	X	X	X
Parking, Commercial (Principal Use)	—	X	X	X	X	X	X	X	X	X
Sexually Oriented Businesses	531.52	See 531.52								
Water Dependent Uses	531.60	X	X	X	X	X	X	X	X	X
<b>OPEN USE OF LAND - LIGHT</b>										

Cemetery: Human and Pet	531.11	X	X	SP	SP	SP	SP	SP	SP	P
Earthmoving, Minor	702	X	X	P	P	P	P	P	P	P
Game Preserve	—	P	SP	P	SP	X	X	X	X	P
<b>OPEN USE OF LAND - HEAVY</b>										
Earthmoving, Major	702	X	X	SP	SP	X	X	X	X	SP
Junkyards	531.27	X	X	X	X	X	X	X	X	X
Mining	531.30	X	X	X	X	X	X	X	X	X
Solid Waste Management Facilities	531.53	X	X	SP	X	X	X	X	X	X
Landfills	531.53	X	X	SP	X	X	X	X	X	X
<b>RECREATION USES</b>										
Environmental Land Preserves, Public and Private	531.17	P	P	P	P	P	P	P	P	P
Recreation, High Intensity	531.41	X	P	SP	X	X	X	X	X	X
Recreation, Low Intensity	531.41	X	P	P	P	P	P	P	P	P
Recreation, Medium Intensity	531.41	X	P	SP	X	X	X	X	X	X
Recreation, Passive	531.41	P	P	P	P	P	P	P	P	P
Recreation, Rural	531.41	X	X	SP	SP	X	X	X	X	X
<b>RESIDENTIAL USES</b>										
Accessory Dwelling Unit	511.18	X	X	P	P	P	X	X	X	P
Assisted Living Facility, Large <sup>2</sup>	531.45	X	X	SP	SP	SP	SP	SP	SP	SP
Assisted Living Facility, Small <sup>2</sup>	531.45	X	X	SP	P	P	P	P	P	P
Community Residential Homes	531.45	X	X	P	P	P	P	P	P	P
Group Housing	531.23	X	X	SP	SP	X	X	X	P	SP
Mobile Homes, Individual	531.32	X	X	P/S P	X	X	P	X	X	P/SP
Mobile Home Parks	531.32	X	X	X	X	X	P	X	X	X
Mobile Home Subdivisions	531.32	X	X	X	X	X	P	X	X	X
Nursing Homes <sup>2</sup>	531.35	X	X	X	X	SP	X	SP	SP	P
Recovery Home, Large	531.45	X	X	SP	X	X	X	X	SP	X
Recovery Home, Small	531.45	X	X	SP	SP	SP	SP	SP	SP	SP
Residential Treatment Facilities	531.46	X	X	SP	SP	SP	SP	SP	SP	SP
Residential Use: Duplexes	531.47	X	X	X	X	X	X	P	P	SP
Residential Use: Multiple Family Dwellings	531.47	X	X	X	X	X	X	X	P	SP
Residential Use: Single Family, Attached Dwellings (3 to 9 units)	531.47	X	X	X	X	X	X	X	P	SP

Residential Use: Single Family, Detached Dwellings	531.47	X	X	P	P	P	X	P	P	P
Residential Use: Single Family, Semi-Detached Dwellings	531.47	X	X	X	X	X	X	P	P	SP
Residential Use: Triplex and Quadruplex Dwellings (Multifamily, four (4) units maximum)	531.47	X	X	X	X	X	X	X	P	SP
Residential Use: Waterfront Structures (Residential other than multi-family)	531.47	X	X	P	P	P	P	P	P	P
Residential Use: Waterfront Structures (Multi-Family)	531.47	X	X	X	X	X	X	X	P	P
<b>RESIDENTIAL SUPPORT USES</b>										
Adult Day Care Center	—	X	X	P	P	P	P	P	P	X
Child Care Center, Accessory	511.2	X	X	P/S P	P/SP	SP	X	P/S P	P/SP	P
Child Care Center, Small	531.12	X	X	P/S P	P/SP	P/S P	X	P/S P	P/SP	P
			X							
Child Care Center, Large	531.12	X	X	P/S P	P/SP	X	X	X	P/SP	P/SP
Churches/Places of Worship	531.13	X	X	P/S P	P/SP	P/S P	P/ SP	P/S P	P/SP	P
Environmental Education Facilities	—	P	P	P	P	P	X	P	X	P
Family Day Care Home	—	X	X	P	P	P	P	P	P	P
Schools, College/Universities	531.50	X	X	X	X	X	X	X	X	X
Schools, Elementary	531.50	X	X	P	P	P	P	P	P	P
Schools, High and Middle	531.50	X	X	SP	SP	SP	SP	SP	SP	SP
Schools of Special Education	531.50	X	X	P	P	P	P	P	P	SP
Schools, Public	531.50	X	X	P	P	P	P	P	P	P
<b>TRANSPORTATION USES</b>										
Aircraft Landing Field	531.2	X	X	P	X	X	X	X	X	X
Airport, Commercial	531.3	X	X	X	X	X	X	X	X	X
Airport, Private or Public	531.3	X	X	SP	X	X	X	X	X	X
Bus and Train Passenger Station	—	X	X	P	P	X	X	X	P	P
Hazardous Waste Transfer Facility	—	X	X	X	X	X	X	X	X	X
Heliport	531.24	X	X	X	X	X	X	X	X	X
Helistop	531.24	X	X	SP	X	X	X	X	X	SP

Intensive Services: Motor Pool Facilities	531.26	X	X	X	X	X	X	X	X	X
Intermodal Terminal	—	X	X	X	X	X	X	X	X	X
Motor Freight Terminal/Maintenance	531.34	X	X	X	X	X	X	X	X	X
Bus RR/Maintenance Facility		X	X	SP	X	X	X	X	X	SP
Railroad Switching/Classification Yard	—	X	X	X	X	X	X	X	X	X
<b>WAREHOUSING</b>										
Mini Warehouses, Self-storage	531.31	X	X	X	X	X	X	X	X	SP
Warehouses	531.59	X	X	X	X	X	X	X	X	X

**EXHIBIT F**

**Table 4-12: Schedule of Uses for PD Districts**

Land Use		PD R	PD O	PD C	PDR P	P DI	PD PI	PD W	PDM U	PD RV	PDM H	PD GC	PD A	PD EZ
<b>AGRICULTURAL USES</b>														
Agricultural Research Facilities	—	X	X	P	P	X	P	X	P	X	X		P	P
Agricultural Uses	531.1	P	P	P	P	P	P	P	P	P	P	X	P	P
Agricultural Products Processing Plants	531.1	X	X	X	X	P	X	X	P	X	X	X	P	P
Animal Products Processing Facility	531.1	X	X	X	X	P	X	X	SP	X	X	X	P	P
Short Term Agricultural Uses	531.1	P	X	P	X	X	X	X	P	X	X	X	P	P
Stables or Equestrian Centers: Private	531.1	P	X	X	X	X	X	X	P	P	P	X	P	X
Stables or Equestrian Centers: Public	531.1	X	X	P	X	X	P	X	P	X	X	X	P	X
Tree Farm	531.1	X	X	X	X	X	P	X	P	X	X	X	P	X
Animal Services (Wild and Exotic)	531.5	P	P	P	P	P	P	P	P	P	P	P	P	P
Breeding Facility (Non-Wild & Exotic)	531.8	X	X	P	P	P	P	X	P	X	X	X	P	X
Farming Service Establishments	531.18	X	X	P	X	X	X	X	P	X	X	X	P	P
Farm Worker Housing	531.19	X	X	X	X	X	X	X	X	X	X	X	X	X
Pet Service (Kennel) Establishments	531.38	X	X	P	P	X	X	X	P	X	X	X	P	X

Sawmills	531.1	X	X	X	X	P	X	X	P	X	X	X	X	P
Slaughterhouses	531.1	X	X	X	X	P	X	X	P	X	X	X	X	X
Stockyards and Feedlots <sup>4</sup>	531.1	X	X	X	X	P	P	X	P	X	X	X	X	X
Veterinary Hospitals	531.58	X	X	P	X	P	P	X	P	X	X	X	X	X
<b>COMMERCIAL - RETAIL</b>														
Alcoholic Beverage Establishment	531.4	X	X	SP	X	SP	X	SP	SP	X	X	X	X	X
Alcoholic Beverage Establishment - 2 COP License	531.4	X	X	P	X	X	X	X	P	X	X	X	X	X
Auction Houses, Enclosed	—	X	X	P	X	P	X	X	P	X	X	X	X	X
Auction Houses, Open	531.6	X	X	P	X	P	X	X	P	X	X	X	X	X
Building Materials Sales Establishment	531.9	X	X	P	X	X	X	X	P	X	X	X	X	X
Lumberyard	531.9	X	X	X	X	P	X	X	P	X	X	X	X	P
Drive-Through Establishments	531.16	X	X	P	P	P	X	X	P	X	X	X	X	P
Food Truck Park	531.64	X	P	P	P	P	X	P	P	X	X	X	X	P
Gas Pumps	531.51	X	X	P	P	P	P	P	P	P	X	X	X	P
Recreational Vehicle/Mobile Home Sales, Rental & Leasing	531.43	X	X	P	X	X	X	X	P	P	X	X	X	X
Restaurant	531.48	X	P	P	P	P	X	P	P	X	X	X	X	P
Retail Sales, Neighborhood Convenience	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
Medical Marijuana Treatment Center	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X

Dispensing Facility														
Retail Sales, General	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
Service Station	531.51	X	X	P	X	P	X	X	P	X	X	X	X	P
Vehicle Sales, Rental, Leasing	531.57	X	X	P	X	P	X	X	P	X	X	X	X	X
<b>COMMERCIAL - SERVICES</b>														
Bed and Breakfast	531.7	P	X	P	X	X	X	P	P	X	X	X	P	X
Business Services	—	X	P	P	P	P	P	X	P	X	X	X	X	X
Printing, Medium	—	X	X	P	X	P	X	X	P	X	X	X	X	X
Printing, Small	—	X	P	P	X	P	X	X	P	X	X	X	X	X
Car Wash: Full Service	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X
Car Wash: Incidental	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X
Car Wash: Self-Service	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X
Clinics	—	X	P	P	X	X	P	X	P	X	X	X	X	X
Equipment sales, rental, leasing, storing and repair - heavy	531.18	X	X	P	X	P	X	X	P	X	X	X	X	P
Construction equipment	531.18	X	X	P	X	P	P	X	P	X	X	X	X	X
Equipment sales, rental, leasing, storing and repair - light	—	X	X	P	X	P	X	X	P	X	X	X	X	
Food Catering Service Establishment	531.21	X	X	P	X	P	X	X	P	X	X	X	X	X
Free Standing Emergency Department (FSED) <sup>5</sup>	531.62	X	X	P	X	X	X	X	P	X	X	X	X	X
Funeral Chapel	531.22	P	P	P	X	X	X	X	P	X	X	X	P	X

Funeral Home	531.2 2	X	P	P	X	X	X	X	P	X	X	X	X	X
Hospital <sup>1</sup>		X	X	X	X	X	P	X	P	X	X	X	X	X
Intensive Services: Exterminating and Pest Control	531.2 6	X	X	X	X	X	X	X	P	P	X	P	X	P
Intensive Services: Printing, Heavy	—	X	X	X	X	P	X	X	X	X	X	X	X	P
Intensive Services: Industrial Service Establishment	531.2 6	X	X	P	P	P	X	X	P	X	X	X	X	P
Intensive Services: Sign Painting Service	531.2 6	X	X	P	X	P	P	X	P	X	X	X	X	X
Intensive Services: Taxi-Cab, Limousine Service	531.2 6	X	X	P	X	P	X	X	P	X	X	X	X	X
Intensive Services: All others	531.2 6	X	X	P	X	P	P	X	P	X	X	X	X	P
Laboratories, Medical and Dental	—	X	P	P	P	P	P	X	P	X	X	X	X	X
Lodging Places: Boarding House	531.2 8	P	X	X	X	X	X	X	P	X	X	X	X	X
Lodging Places: Boatel	531.2 8	X	X	X	X	X	X	P	P	X	X	X	X	X
Lodging Places: Dormitories	531.2 8	P	X	X	X	X	P	X	P	X	X	X	X	X
Lodging Places: Hospital Guest House	531.2 8	X	X	P	X	X	P	X	P	X	X	X	X	X

Lodging Places: Hotel/motel	531.2 8	X	X	P	P	P <sup>2</sup>	P	P	P	X	X	X	X	P
Office, Medical or Professional	531.6 1	P	P	P	P	P	P	P	P	P	X	X	X	X
Miscellaneous Services: Office	—	X	P	P	P	P	P	P	P	X	X	X	P	X
Banking: Bank	—	X	P	P	P	P	X	X	P	X	X	X	X	X
Banking: Bank/Drive- through	531.1 6	X	P	P	P	P	X	X	P	X	X	X	X	P
Personal Service Establishment	—	P	P	P	P	P	P	X	P	P	P	X	P	X
Dry Cleaners: General	—	X	P <sup>3</sup>	P	P <sup>3</sup>	P	P	X	P	X	X	X	X	X
Dry Cleaners: Pick-up	—	X	P	P	P	P	P	X	P	X	X	X	P	P
Rental Service Establishment	—	X	X	P	P	P	X	X	P	X	X	X	X	
Repair Service Establishment	—	X	X	P	P	X	P	X	P	X	X	X	X	X
Recreational Vehicle Parks and Subdivisions	531.4 2	X	X	P	X	X	X	X	P	P	X	X	X	X
Rehabilitation Center	531.4 4	P	P	P	P	P	P	P	P	P	P	X	P	X
Vehicle Repair: Major	531.5 6	X	X	P	X	P	X	X	P	X	X	X	X	P
Vehicle Repair: Community Serving	—	X	X	P	X	P	X	X	P	X	X	X	X	X
Vehicle Repair: Neighborhood Serving	—	X	X	P	X	P	X	X	P	X	X	X	X	X
Veterinary Clinic	531.5 8	X	P	P	P	X	X	X	P	X	X	X	P	X
Wholesale Trade Establishment		X	X	P	P	P	X	X	P	X	X	X	X	X

<b>INDUSTRIAL</b>														
Asphalt/Concrete Processing, Manufacturing, or Recycling Plants <sup>4</sup>	—	X	X	X	X	P	X	X	X	X	X	X	X	X
Industrial, Heavy	531.25	X	X	X	X	P	X	X	P	X	X	X	X	P
Firework/Sparkler Manufacture	531.25	X	X	X	X	P	X	X	X	X	X	X	X	X
Industrial, Light	531.25	X	X	X	P	P	P	X	P	X	X	X	X	P
Research and Development Activities	—	X	X	X	P	P	P	X	P	X	X	X	X	P
<b>COMMUNITY SERVICE USES</b>														
Civic, Social, and Fraternal Organizations/Clubs	531.14	P/S P	P	X	X	X	X	P	P	P	P	X	P	X
Correctional Facilities: Community	—	X	X	X	X	X	P	X	P	X	X	X	X	X
Correctional Facilities: Major	—	X	X	X	X	X	P	X	P	X	X	X	X	X
Cultural Facilities	531.15	P	P	P	P	P	P	P	P	X	X	X	P	P
Emergency Shelters	531.44	P	P	P	X	X	X	P	P	X	P	X	P	X
Emergency Shelter Home	531.44	P	P	P	X	X	X	P	P	X	P	X	P	X
Personal Wireless Service Facilities	531.37	See Section 531.37												
Public Community Uses	531.39	P	P	P	P	P	P	P	P	P	P	X	P	P
Public Use Facilities	531.40	P	P	P	P	P	P	P	P	P	P	X	P	P
Post Offices	—	P	P	P	P	P	P	P	P	P	P	X	P	P
Radio, TV, Communication	—	X	X	P	P	P	P	X	P	X	X	X	X	P

s, Microwave Facilities														
Utility Use	531.5 4	P	P	P	P	P	P	P	P	P	P	P	P	P
Alternative Energy Generation Facility	531.5 4	X	X	X	X	P	P	X	X	X	X	X	X	P
Utility Use, Heavy	531.5 4	X	X	X	X	P	X	X	P	X	X	X	X	X
<b>MISCELLANEOUS USES</b>														
Flea Markets: Enclosed	531.2 0	X	X	P	X	X	X	X	P	X	X	X	X	X
Flea Markets: Open	531.2 0	X	X	P	X	X	X	X	P	X	X	X	X	X
Intensive Services: Towing Service and Storage Establishment	531.2 6	X	X	P	X	P	X	X	P	X	X	X	X	P
Outdoor Advertising Signs	—	X	X	P	X	P	X	X	X	P	X	X	X	P
Outdoor Storage (Principal Use)	531.3 6	X	X	P	X	P	X	X	P	X	X	X	X	P
Parking, Commercial (Principal Use)	—	X	P	P	P	P	P	P	P	X	X	X	X	X
Sexually Oriented Businesses	531.5 2	See Section 531.52												
Water Dependent Uses	531.6 0	X	X	X	X	X	X	P	P	X	X	X	X	X
<b>OPEN USE OF LAND - LIGHT</b>														
Cemetery: Human and Pet	531.1 1	X	X	P	X	X	P	X	P	X	X	X	X	X
Earthmoving, Minor	702	P	P	P	P	P	P	P	P	P	P	X	P	P
Game Preserve	—	X	X	P	X	X	P	X	P	X	X	X	X	X
<b>OPEN USE OF LAND - HEAVY</b>														
Earthmoving, Major	702	X	X	X	X	X	X	X	X	X	X	X	X	P

Junkyards	531.2 7	X	X	X	X	X	X	X	P	X	X	X	X	X
Mining	531.3 0	X	X	X	X	X	P	X	X	X	X	X	X	X
Solid Waste Management Facilities	531.5 3	X	X	P	X	P	P	X	P	X	X	X	X	X
Landfills	531.5 3	X	X	X	X	X	P	X	X	X	X	X	X	X
<b>RECREATION USES</b>														
Environmental Land Preserves, Public and Private	531.1 7	P	P	P	P	P	P	P	P	P	X	X	P	X
Recreation, High Intensity	531.4 1	X	X	P	X	X	P	P	P	X	X	X	X	X
Recreation, Low Intensity	531.4 1	P	P	P	P	P	P	P	P	P	P	P	P	X
Recreation, Medium Intensity	531.4 1	X	X	P	X	X	P	P	P	X	X	X	X	X
Recreation, Passive	531.4 1	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation, Rural	531.4 1	X	X	X	X	P	P	X	X	X	X	X	X	X
<b>RESIDENTIAL USES</b>														
Accessory Dwelling Unit <sup>6</sup>	511.1 8	P	X	X	X	X	X	X	P	X	X	X	P	X
Assisted Living Facility, Large <sup>1</sup>	531.4 5	P	P	P	X	X	P	X	P	X	X	X	P	X
Assisted Living Facility, Small <sup>1</sup>	531.4 5	P	P	P	X	X	P	X	P	X	X	X	P	X
Community Residential Homes	531.4 4	P	X	X	X	X	P	X	P	P	P	X	P	X
Group Housing	531.2 3	X	X	X	X	X	P	X	P	X	X	X	X	X
Mobile Homes, Individual	531.3 2	X	X	X	X	X	X	X	X	X	P	X	X	X
Mobile Home Parks	—	X	X	X	X	X	X	X	P	X	P	X	X	X
Mobile Home Subdivisions	—	X	X	X	X	X	X	X	P	X	P	X	X	X

Nursing Homes <sup>1</sup>	531.3 5	X	P	P	X	X	P	X	P	X	X	X	X	X
Recovery Home, Large	531.4 5	X	P	P	X	X	P	X	P	X	X	X	X	X
Recovery Home, Small	531.4 5	P	P	P	X	X	P	X	P	P	P	X	P	X
Residential Treatment Facilities	531.4 6	P	X	X	X	X	P	X	P	X	X	X	P	X
Residential Use: Duplexes	531.4 7	P	X	X	X	X	P	X	P	X	X	X	X	X
Residential Use: Multiple Family Dwellings	531.4 7	P	X	X	X	X	P	P	P	X	X	X	X	X
Residential Use: Single Family, Attached Dwellings (3 to 9 units)	531.4 7	P	X	X	X	X	P	P	P	X	X	X	X	X
Residential Use: Single Family, Detached Dwellings	531.4 7	P	X	X	X	X	P	P	P	X	X	X	P	X
Residential Use: Single Family, Semi-Detached Dwellings	531.4 7	P	X	X	X	X	P	X	P	X	X	X	X	X
Residential Use: Triplex and Quadruplex Dwellings (Multifamily, four (4) units maximum)	531.4 7	P	X	X	X	X	X	P	P	X	X	X	X	X
Residential Use: Waterfront Structures (Residential)	531.4 7	P	X	X	X	X	X	P	P	P	P	X	P	X

Residential Use: Waterfront Structures, Multi-Family	531.4 7	P	X	X	X	X	X	P	P	X	X	X	P	X
<b>RESIDENTIAL SUPPORT USES</b>														
Adult Day Care Center	—	P	P	P	X	X	X	P	P	X	P	X	P	X
Child Care Center, Accessory	531.1 2	P	P	P	P	P	P	P	P	P	P	X	P	P
Child Care Center, Large	531.1 2	P	P	P	P	P	P	X	P	X	X	X	P	X
Child Care Center, Small	531.1 2	P	P	P	X	P	P	X	P	P	P	X	P	X
Churches/Places of Worship	531.1 3	P	P	P	X	X	X	X	P	P	P	X	P	X
Environmental Education Facilities	—	P	X	X	X	X	P	X	P	X	X	X	P	X
Family Day Care Home	—	P	X	X	X	X	P	X	P	P	P	X	P	X
Schools, College/Universities	531.5 0	X	X	X	X	X	P	X	P	X	X	X	X	X
Schools, Elementary	531.5 0	P	P	X	P	X	P	X	P	X	X	X	P	X
Schools, High and Middle	531.5 0	P	P	X	P	X	P	X	P	X	X	X	P	X
Schools of Special Education	531.5 0	P	P	P	P	X	P	X	P	X	X	X	P	X
Schools, Public	531.5 0	P	P	P	P	P	P	P	P	P	P	P	P	P
<b>TRANSPORTATION USES</b>														
Aircraft Landing Field	531.2	X	X	X	X	X	P	X	P	X	X	X	X	X
Airport, Commercial	531.3	X	X	X	X	X	P	X	P	X	X	X	X	X
Airport, Private or Public	531.3	X	X	X	X	P	P	X	P	X	X	X	X	P
Bus and Train Passenger Station	—	P	X	P	P	P	P	X	P	X	X	X	P	P

Hazardous Waste Transfer Facility	—	X	X	X	X	P	P	X	P	X	X	X	X	X
Heliport	531.24	X	X	P	X	P	P	X	P	X	X	X	X	P
Helistop	531.24	P	P	P	P	P	P	P	P	X	X	X	P	P
Intensive Services: Motor Pool Facilities	531.26	X	X	X	X	P	P	X	P	X	X	X	X	P
Intermodal Terminal	—	X	X	X	X	P	P	X	P	X	X	X	X	P
Motor Freight Terminal/Maintenance	531.34	X	X	X	X	P	X	X	P	X	X	X	X	P
Bus RR/Maintenance Facility	531.34	X	X	X	X	P	P	X	P	X	X	X	X	X
Railroad Switching/Classification Yard	—	X	X	X	X	P	P	X	X	X	X	X	X	P
<b>WAREHOUSING</b>														
Mini Warehouses, Self-storage	531.31	X	X	P	X	P	X	X	P	X	X	X	X	X
Warehouses	531.59	X	X	X	P	P	P	X	P	X	X	X	P	P