

Manatee County Government Administrative Building
1112 Manatee Avenue West, First Floor Chambers
April 14, 2016 - 9:00 a.m.

April 14, 2016 - Planning Commission Meeting
Agenda Item #8

Subject

PDMU-98-08(G)(R7) - Heritage Harbour (FKA Heritage Sound) - DTS20150173 - MEPS435 - Quasi-Judicial -
Stephanie Moreland

Briefings

None

Contact and/or Presenter Information

RECOMMENDED in Open Session by
Manatee County Planning Commission
April 14, 2016

Presenter:

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

Contact:

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

Action Requested

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code as conditioned herein, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. PDMU-98-08(G)(R-7) with Stipulations, amending and restating Ordinance No. PDMU-98-08 (G)(R6), RESTATING Special Approval previously granted for a project : 1) partially in an Entranceway; Restating the Adopted Findings for Specific Approval previously granted for alternatives to LDC Sections 900.6.C (formerly LDC Section 737.5.3 - Entrance way sign), 603.3.A (formerly LDC Section 724.6.4 – Sign plan), 701.3.A (formerly LDC Section 715.3.1 – Landscaping), 1005.4 (formerly LDC Section 710.1.4 - Reduction in Number of Size of Required Off-street Parking spaces), 1005.3.A, Table 10-2 (formerly LDC Section 710.1.6, Table B - Parking Ratios), ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval for an alternative to LDC Section 402.7.D.5 (Greenbelts), as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

• Heritage Harbour Development of Regional Impact (DRI #24) has 2,784.7± acres. The mixed use development is generally located at the intersection of I-75 and SR 64, south of the Manatee River. Parcel 35, which is the subject of this request, is on the west side of Upper Manatee River Road, approximately one mile north of S.R. 64. The site is in the UF-3 Future Land Use Category (FLUC) and PDMU (Planned Development Mixed Use) zoning and WP-E/ST(Evers Reservoir Watershed Protection/Special Treatment) Overlay districts.

• Ms. Misty Servia, authorized agent for Manatee Land Investors, LLC, and Upper Manatee 288, LLC (applicants) requests approval to revise the Zoning Ordinance and General Development Plan for Heritage Harbour DRI relative to the subject Parcel 35. The request is accompanied with a companion revision to the DRI Development Order [Ordinance 16-16] and is as follows:

- 1) Add a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35;
- 2) Add Commercial, Retail, Multi-family and Assisted Living Facility (ALF) as potential uses on Parcel 35 (without increasing DRI entitlements);
- 3) Show a numerical range of dwelling units for Parcel 35;
- 4) Realign Port Harbour Parkway Extension through Parcel 35 and corresponding "update of notes";
- 5) Specify the amount and types of development that may be authorized on Parcel 35; including recreational and open space requirements;
- 6) Provide flexibility in the separation between multi-family buildings and single-family development parcels;
- 7) Change the front yard setback for Parcel 35 from 25'/20' to 20'/15' to be consistent with residential development in the project;
- 8) Remove the requirement for a 30' buffer along the southern boundary of Parcel 35;
- 9) Remove the requirement for a noise mitigation study for Parcel 35;
- 10) Update wetland information shown on GDP and modify provisions related to wetland buffers and impacts for Parcel 35; and
- 11) Other minor updates, terminology changes, and corrections to reflect previously approved changes and to provide consistency with other approved documents.

Analysis for the listed requests is detailed in the staff report.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk reviewed and responded by email on March 24, 2016.

Reviewing Attorney

Schenk

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs
N/A

Attachment: [Maps - Future Land Use, Zoning and Aerials - PDMU-98-08\(G\)\(R7\) - DTS20150173 - MEPS435.pdf](#)

Attachment: [Staff Report - Heritage Harbour GDP - PDMU-98-08\(G\)\(R7\) - DTS20150173 - MEPS435.pdf](#)

Attachment: [General Development Plan - Heritage Harbour GDP - PDMU-98-08\(G\)\(R7\) - DTS20150173 - MEPS435.pdf](#)

Attachment: [Affidavit of Publishing - Heritage Harbour GDP - PDMU-98-08\(G\)\(R7\) - 20150173 - MEPS435 - Sarasota Herald Tribune Line - 4-14-16 PC.pdf](#)

Attachment: [Affidavit of Publishing - Heritage Harbour GDP - PDMU-98-08\(G\)\(R7\) - 20150173 - MEPS435 - Bradenton Herald Line - 4-14-16 PC.pdf](#)

Attachment: [Specific Approval Letter - Heritage Harbour GDP - PDMU-98-08\(G\)\(R7\).pdf](#)

Attachment: [Ordinance - Heritage Harbour GDP - PDMU-98-08\(G\)\(R7\) - DTS20150173 - MEPS435.pdf](#)

Attachment: [Public Comments - Heritage Harbour GDP - PDMU-98-08\(G\)\(R7\) - DTS20150174 - MEPS435.pdf](#)

P.C. 04/14/16

PDMU-98-08(G)(R7) – HERITAGE HARBOUR (F.K.A. HERITAGE SOUND), DTS#20150173, MEPS#435

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending, consolidating and restating Ordinance PDMU-98-08(G)(R6), to amend the General Development Plan to: 1) Add a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35; 2) Add Commercial, Retail, Multi-family and Assisted Living Facility (ALF) as potential uses on Parcel 35 (without increasing DRI entitlements); 3) Show a numerical range of dwelling units for Parcel 35; 4) Realign Port Harbour Parkway extension through Parcel 35 and corresponding “update of notes”; 5) Specify the amount and types of development that may be authorized on Parcel 35, including recreational and open space requirements; 6) Provide flexibility in the separation between multi-family buildings and single-family development parcels; 7) Change the front yard setback for Parcel 35 from 25’/20’ to 20’/15’ to be consistent with residential development in the project; 8) Remove the requirement for a 30’ buffer along the southern boundary of Parcel 35; 9) Remove the requirement for a noise mitigation study for Parcel 35; 10) Update wetland information shown on GDP and modify provisions related to wetland buffers and impacts for Parcel 35; and 11) Other minor updates, terminology changes, and corrections to reflect previously approved changes and to provide consistency with other approved documents; Subject to stipulations as conditions of approval; providing a legal description; providing for severability and an effective date.

The Heritage Harbour DRI is generally located at the intersection of I-75 and SR 64, south of the Manatee River, and west of Upper Manatee River Road (2,784.7± acres) approximately one mile north of S.R. 64. Present zoning is PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection/Special Treatment Overlay).

P.C.: 04/14/16

B.O.C.C.: 05/5/16

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code as conditioned herein, I move to recommend **ADOPTION** of Manatee County Zoning Ordinance No. PDMU-98-08(G)(R-7) with Stipulations, amending and restating Ordinance No. PDMU-98-08(G)(R6), **RESTATING** Specific Approval previously granted for a project : 1) partially in an Entranceway; Restating the Adopted Findings for Specific Approval previously granted for alternatives to LDC Sections 900.6.C (formerly LDC Section 737.5.3 - Entrance way sign), 603.3.A (formerly LDC Section 724.6.4 – Sign plan), 701.3.A (formerly LDC Section 715.3.1 – Landscaping), 1005.4 (formerly LDC Section 710.1.4 - Reduction in Number of Size of Required Off-street Parking spaces), 1005.3.A, Table 10-2 (formerly LDC Section 710.1.6, Table B - Parking Ratios), **ADOPTION** of the Findings for Specific Approval; and **GRANTING** Specific Approval for an alternative to LDC Section 402.7.D.5 (Greenbelts), as recommended by staff.

| PROJECT SUMMARY | |
|---|--|
| CASE NUMBER: | PDMU-98-08(G)(R-7) |
| CASE NAME: | Heritage Harbour (f.k.a. Heritage Sound) |
| OWNER(S) | Lennar Homes, LLC - (owner & master developer) LNR Heritage Harbour, LLLP, - (Parcels 19 & 20) Manatee Land Investors, LLC & Upper Manatee 288, LLC - (Parcel 35) |
| APPLICANT(S): | Manatee Land Investors, LLC & Upper Manatee 288, LLC |
| FUTURE LAND USE CATEGORIES (Overall project): | Ag/R(Agriculture/Rural), P/SP-1(Public/Semi-Public-1), UF-3 (Urban Fringe-3 dwelling units per acre), & MU (Mixed Use) |
| FUTURE LAND USE CATEGORY for Parcel 35: | UF-3 (Urban Fringe-3 dwelling units per acre) |
| EXISTING ZONING: | PDMU (Planned Development Mixed Use) |
| OVERLAY DISTRICTS: | N/A |
| CASE PLANNER: | Stephanie Moreland |
| STAFF RECOMMENDATION: | Approval |
| SURROUNDING LAND USES AND ZONING | |
| NORTH | Single-family residences in Waterlefe Golf and River Club Subdivision zoned PDR(Planned Development Residential) |
| SOUTH | Single-family residences in Greenfield Plantation zoned PDR and A (General Agriculture-one dwelling per five acres) |
| EAST | Across Upper Manatee River Road, single-family residences zoned A-1(Suburban Agriculture-one dwelling per one acre) and PDR |
| WEST | Single-family residences in Heritage Harbor zoned PDMU |
| DETAILED DISCUSSION | |
| <p><u>History</u></p> <p>On March 21st, 2000, the Board of County Commissioners (B.O.C.C.) approved the Heritage Harbour (f.k.a Heritage Sound) DRI and General Development Plan (GDP) [PDMU-98-08(Z)(G)] with the uses and size limitations shown in the table below:</p> | |

| LAND USE CATEGORY | PHASE 1 2000-2004 | PHASE II 2004-2009 | ENTITLEMENTS |
|--|----------------------|-----------------------|--------------------|
| Commercial | | | |
| Retail | 300,000 s.f. | 497,000 s.f. | 797,000 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 300 | 300 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi-detached | 660 units | 480 units | 1,140 units |
| Multi-Family | 600 units | 990 units | 1,590 units |
| Total Residential Units: | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 18 holes | 27 holes | 45 holes |
| Park | 40.2 acres | | 40.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: *December 2004 (Phase One), and December 2009 (Phase II) | | | |

The Board of County Commissioners approved the following amendments to the GDP:

- June 17, 2003 – GDP [PDMU-98-08(G)(R)] was revised as shown in the following table:

| LAND USE CATEGORY | PHASE 1 2000-2009* | PHASE II 2004-2009* | ENTITLEMENTS |
|--|-----------------------|------------------------|--------------|
| Commercial | | | |
| Retail | 300,000 s.f. | 497,000 s.f. | 797,000 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 0 | 600 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | 500 units | 640 units | 1,140 units |
| Multi-family | 760 units | 830 units | 1,590 units |
| Total Residential Units | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | | 41.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: December 30 of referenced year for Phase 1 & December 31 for Phase two | | | |

- March 11, 2008 - GDP [PDMU-98-08(G)(R2)] was revised as shown in the following table:

| LAND USE CATEGORY | PHASE 1 2000-2012* | PHASE II 2004-2012* | ENTITLEMENTS |
|---|-------------------------------|--------------------------------|---------------------|
| Commercial | | | |
| Retail | 300,000 s.f. | 497,000 s.f. | 797,000 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 0 | 600 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | 500 units | 640 units | 1,140 units |
| Multi-family | 760 units | 830 units | 1,590 units |
| Total Residential Units | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | | 41.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: December 30 of referenced year for Phase 1 & December 31 for Phase II. The Build-out dates includes the 3-year extension authorized pursuant to Paragraph 380.06(19)©, F.S. | | | |

- June 3, 2010 GDP [PDMU-98-08(Z)(G)(R4)] was revised to allow a sign plan and add 54,900 square feet of commercial.

| LAND USE CATEGORY | PHASE 1 2000-2012* | PHASE II 2004-2012* | ENTITLEMENTS |
|--|-------------------------------|--------------------------------|---------------------|
| Commercial | | | |
| Retail ** | 300,000 s.f. | 551,900 s.f. | 851,900 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 0 | 600 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | 500 units | 640 units | 1,140 units |
| Multi-family | 760 units | 830 units | 1,590 units |
| Total Residential Units | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | | 41.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: *December 30 of referenced year for Phase 1 & December 31 for Phase II. The Build-out dates includes the 3-year extension authorized pursuant to Paragraph 380.06(19)©, F.S. | | | |
| **Development minimum and maximums for Parcels 19 & 20 shall be per Condition B (12) and the Land Use Equivalency Matrix (LUEM) included as Exhibit 15. | | | |

- October 6, 2011, GDP [PDMU 98-08(G)(R5)] was revised to allow: 1) an extension to the expiration date of the Certificate of Level of Service; 2) an extension to the build-out date; 3) an amendment to the Land Use Equivalency Matrix and 4) other amendments for internal consistency.

| LAND USE CATEGORY | PHASE 1 2000-2012* | PHASE II 2004-2017* | ENTITLEMENTS |
|--|-----------------------|------------------------|--------------|
| Commercial | | | |
| Retail ** | 300,000 s.f. | 551,900 s.f. | 851,900 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 0 | 600 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | 500 units | 640 units | 1,140 units |
| Multi-family | 760 units | 830 units | 1,590 units |
| Total Residential Units | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | | 41.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: *December 30 of referenced year for Phase 1 & December 31 for Phase II. The Build-out dates includes the 3-year extension authorized pursuant to Paragraph 380.06(19)©, F.S. **Development minimum and maximums for Parcels 19 & 20 shall be per Condition B (12) and the Land Use Equivalency Matrix (LUEM) included as Exhibit 15. *** Residential units may be exchanged among the types of approved units per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15. | | | |

- November 6, 2012, Manatee County issued a formal determination (AD-12-15) granting conversion of 63,063 square feet of commercial/retail to 350 multi-family units applicable only to Parcels 19 & 20. On September 20, 2012, The Public Works Department, Transportation Planning Division approved the following Land Use Equivalency Matrix Table shown below:

**LAND USE EQUIVALENCY MATRIX
(APPLICABLE ONLY TO PARCELS 19/20)**

| | | CHANGE TO | | | | | |
|-------------|--|-------------------|---------------------------------|---------------------|----------------------|-------------------|-----------------|
| CHANGE FROM | | Hotel (1 Room) | Commercial/ Retail (Sq. Ft.) | Office (Sq. Ft.) | Multi-Family (DU) | Minimum | Maximum |
| | Hotel (1 Room) | — | 171.55 Sq. Ft. | 395.97 Sq. Ft. | 0.95 DUs | 80 Rooms | 300 Rooms |
| | Commercial/ Retail (1,000 Sq. Ft.) | 5.83 Rooms | — | 2,308.25 Sq. Ft. | 5.55 DUs | 400,000Sq. Ft. | 683,000 Sq. Ft. |
| | Office (1,000 Sq. Ft.) | 2.53 Rooms | 433.23 Sq. Ft. | - | 2.40 DUs | 0 Sq. Ft. | 100,000 Sq. Ft. |
| | Multi-Family 1 (DU) | 1.05 Rooms | 180.27 Sq. Ft. | 416.11 Sq. Ft. | — | 0 DU | 350 DUs |

Notes: Multi-Family = Apartments DU = Dwelling Unit Sq. Ft. = Square Feet
 1 Hotel Room equates to 171.55 Sq. Ft. of Commercial/Retail, 395.97 Sq. Ft. of Office, or 0.95 DUs of Multi-Family
 1,000 Sq. Ft. of Commercial/Retail equates to 5.83 Hotel Rooms, 2,308.25 Sq. Ft. of Office, or 5.55 DUs of Multi-Family
 1,000 Sq. Ft. of Office equates to 2.53 Hotel Rooms, 433.23 Sq. Ft. of Commercial/Retail, or 2.40 DUs of Multi-Family
 1 DU of Multi-Family equates to 1.05 Hotel Rooms, 180.27 Sq. Ft. of Commercial/Retail, or 416.11 Sq. Ft. of Office

THIS LAND USE EQUIVALENCY MATRIX APPLIES ONLY TO PARCELS 19 AND 20. ANY CONVERSIONS PURSUANT TO THIS MATRIX MAY ONLY BE UTILIZED BY THE OWNERS OF PARCELS 19 AND 20 AND MAY ONLY AFFECT LAND USE APPROVALS FOR PARCELS 19 AND 20.

- September 4, 2014 - GDP [PDMU -98-08(G)(R6)] was revised to: 1) update phasing and build-out dates to reflect previously authorized legislative extensions; 2) remove the 12.0 acre marina and designate the parcel for residential use; 3) update conditions to reflect compliance with requirements contained therein 4) modify certain design conditions and 5) other amendments for internal consistency.

| LAND USE CATEGORY | ACREAGE ¹ | PHASE I ² 2000-2017* | PHASE II ² 2004-2022* | ENTITLEMENTS |
|---|----------------------|------------------------------------|-------------------------------------|--------------|
| Commercial | 164.3 | | | |
| Retail ³ | | 300,000 s.f. | 551,900 s.f. | 851,900 s.f. |
| Office ³ | | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel ³ | | 150 rooms | 150 rooms | 300 rooms |
| ALF | | 0 | 600 beds | 600 beds |
| Residential⁴ | 1302.3 | | | |
| Single-family detached | | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | | 500 units | 640 units | 1,140 units |
| Multi-family | | 760 units | 830 units | 1,590 units |
| Total Residential Units | | 2,550 units | 2,450 units | 5,000 units |
| Right of Way | 67.9 | | | |
| Open Space | 1250.2 | | | |
| Golf Course | 250 acres | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | 41.2 acres | | 41.2 acres |
| Wetlands, Lakes, Passive Recreation | 959 | | | |
| Total | 2784.7 | | | |

*November 21st of referenced year for Phase 1 and Phase II.

¹ Acreage figures subject to adjustment due to final survey and platting, surveyed jurisdictional determinations, permit survey data, etc.

² The Phase 1 and II build-out dates include the three year extension authorized pursuant to Paragraph 380.06(19)(c), Florida Statutes and legislatively authorized extensions pursuant to HB 7207 and F.S. 252.363.

³ Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.

⁴ Residential units may be exchanged among the types of approved units per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.

PROPOSED CHANGES:

The applicant requests the following modifications. Analysis for each specific modification to the GDP is detailed below:

1. Add a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35;

The applicant proposes a Land Use Equivalency Matrix (LUEM) for Parcel 35 only, submitted as Exhibit 17 to the Development Order. The purpose of the LUEM is to provide for the allocation of entitlements among various types of uses so as to broaden the range of uses available within the limitations of vehicle trips.

The Equivalency Matrix (shown below) was reviewed, accepted and approved on February 18, 2016, by the Transportation Planning Division of Manatee County Public Works Department. The Equivalency Matrix insures that no additional traffic impacts are created provided that the matrix multipliers are used for land use tradeoffs.

EXHIBIT 17
PARCEL 35 LAND USE EQUIVALENCY MATRIX

| Land Uses To Be Traded | | Equivalent Land Uses | | | | | | | |
|-------------------------------|---|--|--|---------------------------------------|---|---|---|----------------|----------------|
| ITE Code: | Land Use Description | # of single-family dwelling units | # of single-family attached units | # of multi-family (apartments) | # of Assisted Living Facility Beds¹ | # of sq. ft. Specialty Retail ² | # of sq. ft. Convenience Market ³ | Minimum | Maximum |
| <u>210</u> | <u>Single-family detached (dwelling unit)</u> | <u>1.00</u> | <u>1.92</u> | <u>1.61</u> | <u>4.55</u> | <u>369.00</u> | <u>28.93</u> | <u>251</u> | <u>832</u> |
| <u>230</u> | <u>Single-family attached</u> | <u>0.52</u> | <u>1.00</u> | <u>0.84</u> | <u>2.36</u> | <u>191.88</u> | <u>15.04</u> | <u>167</u> | <u>959</u> |
| <u>220</u> | <u>Multi-family Apartment (Dwelling Unit)</u> | <u>0.62</u> | <u>1.19</u> | <u>1.00</u> | <u>2.82</u> | <u>228.78</u> | <u>17.93</u> | <u>0</u> | <u>398</u> |
| <u>254</u> | <u>Assisted Living Facility (Bed)¹</u> | <u>0.22</u> | <u>0.42</u> | <u>0.35</u> | <u>1.00</u> | <u>81.18</u> | <u>6.36</u> | <u>0</u> | <u>229</u> |

General Note: The calculation must always be read from left to right. Start in the "Land Uses to be Traded" column at the appropriate row and proceed horizontally to the appropriate "Equivalent Land Uses" column. The equivalent is noted at the intersection of that row and column. For example, one Single-Family Attached Dwelling Unit ("Land Uses to Be Traded", second row) can be traded into 191.88 square feet of Specialty Retail ("Equivalent Land Uses", fifth column).

General Note: All rates used are P.M. Peak Hour

¹ Includes Group Care Home, "Small and "Large"

² Specialty Retail ITE Land Use Code is 826. Includes Neighborhood and General Retail Sales, Eating Establishment, Bank, Business Services, Professional Office, Clinic, Neighborhood Dry Cleaner, Day Care, Personal Service Establishment, School of Special Education, Post Office, Private Community Use, Public Community Use, Medium Intensity Recreational Use.

³ Convenience Market ITE Land Use Code is 852. Includes Convenience Retail.

2. Add commercial, retail, multi-family and ALF as potential uses on Parcel 35 (as entitlements may be attained through LUEM);

Parcel 35 has 289± acres and approximately 2,657 feet of frontage along Upper Manatee River Road.

The Manatee County Comprehensive Plan designates the site as UF-3 (Urban Fringe-3 dwelling units per acre) on the Future Land Use Map. According to the Manatee County Comprehensive Plan, "these UF-3 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community."

This segment of Upper Manatee River Road is transitioning from agricultural uses to a mix of residential and commercial uses (at the intersection of S.R. 64 and Upper Manatee River Road). Uses immediately surrounding Parcel 35 are as follows: To the north is the Waterlefe Golf and River Club Subdivision (706 lots-single-family detached & multi-family), zoned PDR; Greenfield Plantation Subdivision (616 residential lots) and golf course is to the south and zoned PDR; Parcels 31 and 33, Heritage Harbour DRI, is to the west and developed with single-family residences; To the east, adjacent to the south east boundary is a single-family residence zoned A-1. Across Upper Manatee River Road, to the east, are single-family residences in Gates Acres Subdivision zoned A-1 and Gates Creek Subdivision zoned PDR.

Currently, uses approved for Parcel 35 include single-family attached, single-family detached, and single-family semi-detached dwelling units. The proposed potential multi-family and ALF will add to the mix of residential use types. The proposed potential commercial/retail uses are limited to retail wholesale or office commercial uses which function in the marketplace as neighborhood or community serving uses (Policy 2.2.1.11.2).

Manatee County Comprehensive Plan defines 'Retail uses-Community Serving' as "Commercial establishments, or groupings thereof, that in addition to serving day-to-day commercial needs of a community, also supply the more durable and permanent needs of a community (e.g., home improvement centers, furniture stores, movie theaters, bowling alleys, junior department stores, automobile sales). The uses may also include office uses for personal or professional services. Certain community-serving retail uses may also be considered as intensive commercial uses."

Additionally the Manatee County Comprehensive Plan defines 'Retail Uses – Neighborhood as "Commercial establishments, or groupings thereof, that serve the commercial needs of the neighborhood (e.g. food stores, convenience stores, drug stores, restaurants). The uses may also include office uses for personal or professional services."

Single-family attached, single-family detached, multi-family, and ALF and commercial retail are the proposed uses shown on the Equivalency Matrix for Parcel 35 (shown above). Parcel 35 will be eligible for commercial uses with the realignment of Port Harbour Parkway.

3. Show a numerical range of dwelling units for Parcel 35;

The Local Development Agreement governs the allocation of a maximum number of residential units to Parcel 35 out of the total number of residential units approved for the entire DRI. The following language is proposed for Stipulation O(2)J.3.

The Amended and Restated Local Development Agreement, dated September 4, 2014, as recorded in Official Records Book 2535, Pages 5795-5818 of the Public Records of Manatee County, Florida, provides in §1.4 for the maximum number of residential units allocated to Parcel 35 from the surplus residential units on the remainder of the Heritage Harbour DRI, as being in the range of 735 to 1,400 residential units out of a total of 5,000 residential units approved for the Heritage Harbour DRI as a whole. The allocation of residential units allocated to Parcel 35 in terms of minimums and maximums for each type of use and structure type shall be in accordance with the Parcel 35 Land Use Equivalency Matrix attached as Exhibit 17.

4. Realign Port Harbour Parkway Extension through Parcel 35 and corresponding "update of notes";

The site will be within 1,500 feet of two functionally classified roadways; Upper Manatee River Road and the future Port Harbour Parkway. The 2030 Future Traffic Circulation Functional Classification Map indicates these roadways as Arterial and Urban Collector, respectively. Currently, Port Harbour Parkway is constructed and extends from Kay Road eastward to Winding River Trail. A small segment of the parkway west of Parcel 35 is not constructed. This part of the Port Harbour Parkway was planned to connect a roadway between the Waterlefe Golf and River Club Subdivision (north) and Parcel 35. The applicant proposes to change the alignment of Port Harbour Parkway to run through the northern and central part of Parcel 35 ending at Upper Manatee River Road.

The new alignment provides an opportunity to locate an alternative second access to Upper Manatee River Road if the need arises in the future. It will be contingent upon Traffic Design staff at the Final Site Plan level to

either accept the location with the stated separations or suggest a new location based on prevailing conditions. In this context, Transportation Planning staff has no concerns and does not object to the proposed alignment.

The Manatee County Comprehensive Plan, Land Use Operative Section states: “in defining a node, the point of intersection of rights-of-way (as used below) may be determined by Manatee County to be based on a relocated or widened functionally classified roadway where such relocation or widening has not yet been effected, but where preliminary design has established the location of future right-of-way related to the relocation/widening.” Though this segment of Port Harbour Parkway is not yet constructed all the way to Upper Manatee River Road, the site meets commercial locational criteria and is eligible to be considered for commercial development in accordance with the approved Equivalency Matrix for Parcel 35.

5. Specify the amount and types of development that may be authorized on Parcel 35, including recreational and open space requirements;

Uses currently approved for Parcel 35 include single-family attached, single-family detached, and single-family semi-detached dwelling units. The proposed potential multi-family and ALF will add to the mix of residential use types. The proposed uses are shown on the Equivalency Matrix for Parcel 35 (shown above).

If the realignment of Port Harbour Parkway is approved, Parcel 35 will be eligible for commercial development acquired through the approved Land Use Equivalency Matrix for Parcel 35. As previously stated, the Amended and Restated Local Development Agreement, dated September 4, 2014, governs the allocation of a maximum number of residential units to Parcel 35 out of the total number of residential units approved for the entire DRI.

Under Recreation and Open Space (Section I), the applicant proposes to modify Stipulation I(1).a, which currently states: “In addition to the recreation space shown on the GDP, an additional three “pocket parks” for active recreation shall be distributed (1/4-1/2 mile maximum distance from homes to parks or greenways leading to parks) within said parcel. These parks shall be connected with pedestrian sidewalks.”

The proposed modified stipulation states: “Parcel 35 shall contain a 2-acre useable recreational area, unless a suitable alternative is approved by the Building and Development Services Director with the Final Site Plan.”

The applicant also proposes to change Stipulation I(1), to reflect 2-acre useable park area for Parcel 35 which is currently designated to have five (5) acres of usable park area.

6. Provide flexibility in the separation between multi-family buildings and single-family development parcels;

Currently Footnote 4, under the Dimensional Standards in O(2).a. states: “Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.” This stipulation currently applies to the dimensional requirements for all residential developments in the Heritage Harbour DRI.

The applicant proposes to exclude Parcel 35 from this requirement, and has provided a separate dimensional table for Parcel 35. Under the new Dimensional Table proposed for Parcel 35, the previous footnote #4 is changed to footnote #3.

The proposed footnote #3 under the new Dimensional Table for Parcel 35 states: “Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels. The minimum separation between multi-family and single-family development parcels may be reduced by the Planning Director if determined that the design including screening and buffering is appropriate.”

The applicant requests flexibility in reducing the 50-foot and 100-foot minimum setback between multi-family and single-family development parcels in footnote 3 under the proposed Dimensional Standards for Parcel 35 and also requests that this flexibility in the separation reduction be approved administratively if the design including screening and buffering is appropriate.

The applicant has not provided a design or layout of the buildings with this request nor has the applicant indicated how much flexibility in reduction may be needed. Therefore, without a layout plan, staff cannot determine the amount of flexibility, or how much reduction may be acceptable. Additionally, the Comprehensive Plan requires consideration of surrounding developments. In this case, Parcel 35 is adjacent to existing single-family developments on three sides and Upper Manatee River Road on the other. To maintain consistency with the other parcels in the Heritage Harbour DRI, staff recommends flexibility be limited to the requirements of LDC Section 324, Administrative Changes, which is currently 10%. No change to the existing stipulation is required since the LDC regulates Administrative Changes.

7. Change the front yard setback for Parcel 35 from 25'/20' to 20'/15' in order to be consistent with residential development in the project;

The approved front yard setbacks for the Heritage Harbour DRI is 20 feet, except for Parcel 35 and multi-family uses on other Parcels. Currently, the front yard setback for multi-family uses and Parcel 35 is 25 feet (stipulated in O(2)b, footnote 7). To maintain consistency throughout the DRI project, staff supports the 20-foot front yard setbacks proposed for Parcel 35. The applicant proposes a separate Dimensional Standards Table for Parcel 35 which is to be added to Section O.2 (Residential) stipulation O.2.(b) of the Zoning Ordinance. Changes to the conditions in Section O (Residential) are shown below in strike-thru and underline format.

Dimensional Standards for Parcel 35

| <u>Type</u> | <u>Minimum Lot size (Sq. Ft.)</u> | <u>Minimum Lot Width</u> | <u>Front Setback (ft.)</u> | <u>Side Setback (ft.)</u> | <u>Rear Setback (ft.)</u> |
|------------------------|--|---------------------------------|-----------------------------------|----------------------------------|----------------------------------|
| SFD ⁴ | 6,500 SF | 52 FT | 20/15 ¹ | <u>5</u> | <u>15</u> |
| SFA ⁴ | 2,500/3,500 SF | 25/35 FT | 20/15 ¹ | 0/10 ⁵ | <u>15</u> |
| SFSD ⁴ | 3,850 SF | 35 | 20/15 ¹ | 0/7.5 | <u>15</u> |
| Duplex ⁴ | 7,800 SF | 70 | 20/15 ¹ | 7.5 | <u>15</u> |
| Multi-fam ³ | | | 25 | 15/25/40/50 ² | <u>15</u> |

¹Front setback for units with side entry garages

²This distance is not a side yard setback, but the minimum distance between buildings. A 15' separation is required between one-story buildings, a 25' between two-story, 40' between 3-story and 50' between 4-story buildings.

³Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.

⁴All duplexes and single-family residences shall be provided with a minimum of a one car garage for each dwelling unit.

⁵Applied to end units.

8. Remove the requirement for a 30' buffer along the southern boundary of Parcel 35;

LDC Section 402.7.D.5 states: "(Greenbelts). In order to promote and enhance the creation of unique neighborhood units, each distinct neighborhood shall be bordered by a continuous greenbelt buffer measuring fifteen (15) feet in width and containing one shade tree, meeting minimum planting size standards in Section 715, planted every thirty (30) feet on center. Greenbelts are to be so planned that where two (2) PDR districts abut one another, the greenbelt buffer areas are contiguous. Streets and utilities providing inter-neighborhood ties may be permitted to pass through greenbelt buffer areas."

Currently, Stipulation (O2).j.1 of the Zoning Ordinance requires a 30-foot wide buffer along the southern boundary of Parcel 35. The applicant requests removal of the language in the stipulation pertaining to the 30-

foot wide buffer requirement and Specific Approval to not provide tree planting in portions of the 15-foot wide buffer as required in LDC Section 402.7.D.5, and required screening in LDC Section 701 where the buffer abuts off-site conservation easements.

The southern boundary of Parcel 35 is adjacent to forested wetland areas, a golf course and residential properties in Greenfield Plantation Subdivision. According to the applicant, “additional buffer is not needed in this location, as the open golf course and wetlands provide a large separation between the existing residential uses to the south and the future development of the subject parcel.”

Environmental staff supports elimination of the required tree plantings in the 15-foot wide greenbelt buffer that abut off-site conservation easements. Staff recommends Stipulation (O2).j.1 be revised to reduce the required buffer width to 15 feet in accordance with LDC Section 402.7.D.5 as follows: ~~Lots along Upper Manatee River Road and along the southern boundary of Parcel 35, within 1,200 feet of Upper Manatee River Road, shall be limited to single-family detached residences. The landscape buffer along the southern boundary shall be 30~~ 15 feet wide and shall be planted in accordance with LDC Section 701.3.B.c.ii. No planting shall be required in the 15' buffer adjacent to off-site conservation easements.

9. Remove the requirement for a noise mitigation study for Parcel 35;

Parcel 35 is not adjacent to the I-75 Corridor. Parcel 35 is in the eastern part of the Heritage Harbour DRI and has approximately 2,255 feet of frontage along the west side of Upper Manatee River Road. The south-easternmost boundary is adjacent to a one-acre parcel with a single-family home, zoned A-1.

Currently, Parcel 35 is approved for residential uses only. The applicant requests removal of Stipulation (O2).j.3 which states: “Prior to Final Site Plan approval, the applicant shall provide a noise mitigation plan to the staff for mitigation of noise from Port Harbour Parkway and Upper Manatee River Road. Such analysis shall demonstrate noise mitigation based on the projected 2025 traffic volumes. Staff approved noised mitigation measures shall be shown on the approved Final Site Plan and installed prior to the issuance of the first Final Plat in Parcel 35.”

According to the applicant, “it is unusually restrictive to require a noise mitigation study along a roadway that is not an interstate road. Additionally, it should be noted that the planned single-family residential units will be significantly setback from Upper Manatee River Road and screened by a compliment of non-residential buildings and potentially a group care home. Any multi-family or group housing planned adjacent to Upper Manatee River Road will use sound mitigation construction techniques, as a matter of standard practice when building adjacent to a thoroughfare.”

Staff believes that if the above stipulation is deleted, Parcel 35 is still subject to applicable regulations of the LDC which provide certain mitigating techniques through buffering and screening regulations to help alleviate any potential adverse impacts that might affect residential dwellings in proximity to Upper Manatee River Road. The applicant has not presented a plan which shows the layout of any proposed development on Parcel 35 but has indicated that single-family homes will be placed along the southern boundary of Parcel 35, west of the existing single-family residence on the A-1 zoned property which has a depth of more than 100 feet. In addition to required buffers and screening, the existing A-1 parcel will provide additional separation from Upper Manatee River Road.

10. Update wetland information shown on GDP and modify provisions related to wetland buffers and impacts for Parcel 35;

The applicant proposes to add language to Stipulation C(1).d, (Environment) of the Zoning Ordinance which states: “Wetland buffers for Parcel 35 shall be per State approvals (i.e. ERP, SWFWMD)”. The Environmental Staff of the Building and Development Services Department are not in agreement with the applicant's proposed change to Stipulation C(1).d. Therefore, no change to the stipulation is reflected in the revised zoning ordinance.

The following Summary of Wetland Impacts, Table 13.4 (Revised October 2006) is being revised and attached to the Ordinance as Exhibit 2:

| Table 13.4 Summary of Wetland Impacts Proposed (Revised January 13, 2016) (Cont.) Within Heritage Harbour inclusive of Moore's Dairy | | | | |
|--|----------------------------------|------------------------|-------------------------------------|-------------------------|
| Wetland I.D. | Wetland Type at Impact Locations | Impact Type | Ecological Quality of Impacted Area | Acres of Impact |
| Impacts associated with Heritage Harbour (original project area) | | | | |
| BB | Forested | Road | Medium/High | 0.20 |
| BB | Herbaceous | Drainage Improvements | Medium/High | 1.06 |
| CCC | Herbaceous | Stormwater | Medium/Low | 0.25 |
| DD | Herbaceous | Golf | Low | 0.62 |
| E | Forested | Road | Medium/Low | 0.04 |
| F1 | Herbaceous | Commercial | Medium | 0.76 |
| F2 | Herbaceous | Commercial | Medium | 2.98 |
| FF | Herbaceous | Commercial | Medium/Low | 0.94 |
| G | Herbaceous | Commercial | Medium/Low | 2.89 |
| G2 | Herbaceous | Commercial | Medium/Low | 0.23 |
| GG | Herbaceous | Road/Commercial | Medium | 1.19 |
| H | Forested | Road | Low | 0.11 |
| I1 | Forested | Golf | Low | 0.49 |
| I2 | Herbaceous | Golf | Low | 0.17 |
| I3 | Forested | Golf | Low | 0.30 |
| II | Shrub | Drainage Improvements | Low | 0.01 |
| J | Forested | Golf | Low | <0.001> |
| J | Forested Road | Road | Low | 0.07 |
| K | Forested | Road | Medium/High | 0.17 |
| K | Forested | Golf | Medium/High | <0.001 |
| NN | Herbaceous | Residential/Stormwater | Medium/Low | 0.40 |
| PP | Herbaceous | Road | Low | 0.10 |
| Table 13.4(Revised January 13, 2016) Continued – page 2. Summary of Wetland Impacts Proposed Within Heritage Harbour Inclusive of Moore's Dairy | | | | |
| Wetland I.D. | Wetland Type at Impact Locations | Impact Type | Ecological Quality of Impacted Area | Acres of Impact |
| Impacts associated with Heritage Harbour (original project area) | | | | |
| Q | Forested | Road/Commercial | High | 5.02 |
| Q2 | Forested | Road | Medium/High | 0.71 |
| R | Herbaceous | Road | Medium | 1.47 |
| S | Herbaceous | Road | Medium/High | 1.05 |
| S | Forested | Road | High | 3.43 |
| VI | Forested/Shrub | Road | Medium/Low | 0.01 |
| WH | Forested | Road | Medium | 0.49 |
| WH | Forested/Herbaceous | Golf | Medium/Low | 0.23 ¹ |
| X | Forested | Golf | Medium | 0.11 ¹ |
| ZZZ | Rim ditch | Road | Low | 0.01 |
| River Marsh | Herbaceous | Road | High | 0.13 |
| River Marsh | Forest/Herb | Golf | Medium | 0.16 ¹ |
| River Marsh | Herbaceous | Marina | High | 1.50 |
| Heritage Harbour Wetland Impact Acreage Subtotal => | | | | 27.3² |
| Wetland Impact Credit Available pursuant to the DO* => | | | | 2.04* |
| Moore's Dairy | | | | |
| A | Herbaceous | Residential | Very Low | 0.29 |

| | | | | |
|---|-------------------|--------------------|---------------------|----------------------|
| B | Herbaceous | Residential | Very Low | 0.60 |
| C | Herbaceous | Residential | Very Low | 0.96 0.00 |
| D | Herbaceous | Residential | Very Low | 0.66 0.83 |
| E | <u>Herbaceous</u> | <u>Residential</u> | <u>Very Low</u> | <u>0.50</u> |
| F | Herbaceous | Residential | Low | 0.74 0.00 |
| G | Herbaceous | Residential | Very Low | 0.86 |
| H | Herbaceous | Residential | <u>Very Low</u> | 0.03 |
| Reserve (C & F) | <u>Herbaceous</u> | <u>Residential</u> | <u>Low</u> | <u>1.03**</u> |
| Moore's Dairy Wetland Impact Acreage Subtotal = > | | | | 4.14 |
| TOTAL WETLAND IMPACT AREA => | | | | 33.48 |

| Wetland I.D. | Acres Impacted | Type | Quality | Reason for Impact | NRD Objection |
|--------------|----------------|------------|---------|-------------------|---------------|
| A | 0.29 | Herbaceous | Low | Road | No |
| B | 0.60 | Herbaceous | Low | Lots | No |
| D | 0.83 | Herbaceous | Low | | No |
| E | 0.50 | Herbaceous | Low | | No |
| G | 0.86 | Herbaceous | Low | Lots | No |
| H | 0.03 | Herbaceous | Low | | No |

¹Temporary impacts only associated with selective clearing for golf flight paths. A total 1.22 acres of selective clearing was identified pursuant to PDMU-9808/FSP-04-100; 0.5 acres which resulted temporary wetland impacts. ²Of 27.3 acres of

the wetland impacts, 0.5 acres are temporary impacts associated with selective clearing. Therefore, permanent impacts are limited to 26.8 acres.

*Miscellaneous impact reserved for future site plan revisions; administrative authorization may be granted based on Manatee County Final Site Plan standards.

**For Moore's Dairy – indicates miscellaneous impact acreage reserved for future site plan revisions. This reserve brings the Moore's Dairy total to 4.14 acres (consistent with the previously tabulated wetland impact subtotal for Moore's Dairy per version of Table 13.4 revised October 2006).

The Environmental Review Section of the Building and Development Services Department indicates the overall wetland acreage as 6.61± acres. Wetland impacts proposed total 3.11± acres.

Wetlands:

According to the environmental narrative provided by Steinbaum & Associates dated August 27, 2015, there are eight (8) jurisdictional wetlands within the project area totaling 6.61 acres. Of these, six (6) are being impacted, as they are very low quality and are spread throughout the project area.

The two not being impacted will serve as wetland mitigation through enhancement and wetland creation adjacent to one or the other wetland, to be determined and detailed with the Final Site Plan for the project area. As part of the revisions to the prior ordinance conditions, the applicant is providing an updated Table 13.4 in strike-through & underline format for staff to review and approve.

Uplands:

According to the environmental narrative there is no native upland habitat on-site, as the site has served as grazing land for cattle.

Endangered Species:

According to the environmental consultant no listed species were observed on-site during several site visits. A stipulation is provided to require a formal listed species survey be provided at Final Site Plan.

Trees

There appear to be very few trees on-site so an inventory is not required at the GDP stage. Tree removal and replacement will be required to be addressed with the Final Site Plan in accordance with the LDC requirements.

Landscaping/Buffers:

Since this is a General Development Plan there is not sufficient detail for the applicant to determine and provide landscaping information, therefore, these requirements will be reviewed and approved with the Final Site Plan. The applicant has been informed that if Specific Approvals are needed, this would be the time to request them, as they require Board approval.

The Environmental Review Section of the Building and Development Services Department recommends six new stipulations to be added to Section C of the Zoning Ordinance. Changes to the conditions in Section C (Environment) are shown further below in the staff report in strike thru and underline format:

11. Other minor updates, previously granted legislative extensions, terminology change, and corrections to reflect previously approved changes and to provide consistency with other approved documents;

Florida Statutes §252.363 authorized the tolling and extension of buildout dates of development orders. In 2015, a State of Emergency (Executive Order 15-173) was declared for Tropical Storm Erika which changed the buildout dates for the Revised General Development Plan modified in Table 1 (Development Totals) below.

Only the development conditions being revised or added are shown below in strike-thru and underline format.

Section 4. GENERAL DEVELOPMENT PLAN

- A. The General Development Plan, dated June 2015 ~~January 2013~~ is hereby APPROVED to allow a multi-use development, with the following conditions and
- B. The previous development order for Heritage Harbour, which was adopted on September 4, 2014 ~~October 6, 2014~~, and all subsequent amendments are hereby replaced in their entirety, provided this amendment shall not be construed to terminate the rights of the developer, if any, granted under Section 163.3167(8) Florida Statutes, to the extent such rights have previously been granted and not specifically herein or otherwise modified or amended.

DEVELOPMENT APPROVAL AND LEVEL OF SERVICE CERTIFICATE CONDITIONS

TABLE 1 – DEVELOPMENT TOTALS

TYPE OF DEVELOPMENT: Multi-Use Development

LOCATION: Northeast of the intersection of I-75 and SR 64

TOTAL DEVELOPMENT AMOUNTS:

Development Totals in Table 1 of PDMU-98-08(G)(R6) are being adjusted to incorporate the conversion of Commercial/Retail to Multi-Family Under the Land Use Equivalency Matrix for Parcels 19 and 20.

| LAND USE CATEGORY | ACREAGE ¹ | PHASE 1 ² 2000-2017 2019* | PHASE II ² 2004-2022 2024* | ENTITLEMENTS |
|--|-----------------------------|---|--|------------------------------------|
| Commercial | 164.3 154.0 | | | |
| Retail ³ | | 300,000 s.f. | 551,900 488,837 s.f. | 851,900 788,837 s.f. |
| Office ³ | | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel ³ | | 150 rooms | 150 rooms | 300 rooms |
| ACLF ALF | | 0 | 600 beds | 600 beds |
| Residential ⁴ | 1302.3 1282.6 | | | |
| Single-family detached | | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | | 500 units | 640 units | 1,140 units |
| Multi-family | | 760 units | 830 1,180** units | 1,590 1,940** units |
| Total Residential Units | | 2,550 units | 2,450 units | 5,000 units |
| Right of Way | 67.9 | | | |
| Open Space | 1250.2 | | | |
| Golf Course | 250 acres | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | 41.2 acres | | 41.2 acres |
| Wetlands, Lakes, Passive Recreation | 959 | | | |
| Total | 2784.7 | | | |
| <p>*November 21st of referenced year for Phase 1 and Phase II.</p> <p>¹ Acreage figures subject to adjustment due to final survey and platting, surveyed jurisdictional determinations, permit survey data, etc.</p> <p>² The Phase 1 and II build-out dates include the three year extension authorized pursuant to Paragraph 380.06(19)(c), Florida Statutes and legislatively authorized extensions pursuant to HB 7207 and F.S. 252.363.</p> <p>³ Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.</p> <p>⁴ Residential units may be exchanged among the types of approved units per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.</p> <p>⁵ Part of total project area of 2,784.7.</p> <p>⁶ Development minimums and maximums shall be per the LUEM included as Exhibit 17.</p> <p>⁷ Because mitigation has been completed for PH I and PH II, residential entitlements remaining at the end of Phase I may be carried over to Phase II.</p> <p>**This number includes 350 multi-family units approved through Equivalency Matrix (AD12-15, dated 11/06/12) which allows for conversion of units, but is not included in total of residential units. Total entitlements for residential units remain 5,000 units.</p> | | | | |

B. TRANSPORTATION CONDITIONS

- B(5). Prior to commencement of Phase II, the developer shall dedicate 100 feet of right-of-way and construct Port Harbour Parkway as a two-lane thoroughfare roadway, including sidewalks, bike lanes, appropriate intersection improvements and associated retention, from its I-75 terminus to the eastern boundary of the original 2,485 acre tract. (Completed)

For that portion of Port Harbour Parkway, planned through Parcel 35 on the north side of the 288 acre addition (Parcel 35), adjacent to where the Waterlife project previously dedicated 42 feet of right-of-way, the Developer* shall dedicate the necessary remaining right-of-way to achieve a total width of 105 feet for the eastern most 500 foot segment and 100 feet for the remaining segment, prior to the first Final Plat approval in Parcel 35. [The provisions of this Section B(5) have been supplanted by the LDA.]

This segment of Port Harbour Parkway shall be completed as a two lane divided roadway (outer lanes) with bike lanes and sidewalks and include the ultimate configuration of Port Harbour Parkway

at the intersection of Upper Manatee River road as set forth in Stipulation in B(9). Temporary striping shall be utilized until the full intersection improvements are made by the county.

B(8) In addition to the access shown on the GDP for Parcel 35, an access shall be provided to Upper Manatee River Road. The second street access shall have a minimum separation of 1,300 feet from Port Harbour Parkway and 800 feet from 2nd Avenue East or an acceptable alternative, as approved by staff. [The provisions of this Section B(8) have been supplanted by the LDA.]

B(12) Only Parcels 19 and 20 allow for the conversion of commercial/Retail, Office, and Hotel uses. Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15. Parcel 35 allows for the exchange of land uses per the Land Use Exchange Matrix (LUEM), included as Exhibit 17.

B(14) Upon utilization of ~~the~~ any Residential Land Use Equivalency Matrix, ~~at time of FSP review,~~ the applicant shall provide a table on the FSP indicating the exchange of units, or square footage, and corresponding increase or decrease of total unit counts and square footage by land use type.

B(15) Land Use Equivalency Matrices (LUEM) for Parcels 19 and 20 and Residential uses are included as Exhibit 15 of this Ordinance. Land Use Equivalency Matrix for Parcel 35 is included as Exhibit 17. The Tampa Bay regional Planning council and the Florida Department of Economic Opportunity will have a minimum 14-day, maximum 21-day review of any/all proposed conversions of the LUEM prior to approval by Manatee county. The applicant shall provide written notice to the Tampa Bay Regional Planning council and the State Land Planning Agency of all proposed conversions under the LUEM and submit proof of such notice to Manatee County prior to approval by Manatee County of such conversions in accordance with this section. In addition, all future conversions shall be duly noted within subsequent Biennial Report submitted for the project.

C. ENVIRONMENT

C(1). Vegetation, Wildlife, and Wetlands

g. Post-development wetlands, conservation tracts, and mitigation areas shall be regarded as preservation areas for the purpose of protecting their natural attributes. These areas shall be placed under conservation easements conveyed to Manatee County consistent with the restrictions on development provided for in Section ~~706~~ 749 of the Land Development Code.

n. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with Final Plat approval.

o. The developer shall provide an updated study, consistent with Policy 3.3.2.1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or federal agency, shall be provided to the County for any listed species found on-site, prior to Final Site Plan approval.

p. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.

q. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.

r. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:

- Digital photographs of the well along with nearby reference structures (if existing).
- GPS coordinates (latitude/longitude) of the well.
- The methodology used to secure the well during construction (e.g. fence, tape).
- The final disposition of the well - used, capped, or plugged.

- s. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

I. RECREATION AND OPEN SPACE

- I(1) The Project shall contain, at a minimum, 893.9 acres of open space. The property designated for recreation purposes shall include a 37.0 acre community park open to the public, a 4.2 acre private neighborhood park, ~~a~~ 250.0 acres of golf, and ~~5~~ 2 acres of usable park area in Parcel 35.

The usable park area in Parcel 35 shall be provided as follows:

- a. Parcel 35 shall contain a In addition to the 2-acre useable recreational area, recreation space shown on the GDP, an additional three “pocket parks” for active recreation shall be distributed (1/4-1/2 mile maximum distance from homes to parks or greenways leading to parks) within said parcel unless a suitable alternative is approved by the Building and Development Services Director with the Final Site Plan. These parks shall be connected with pedestrian sidewalks.
- b. The size, location, and configuration of each pocket park shall be approved by Manatee County with each Final Site Plan and shall generally be a minimum of 1 acre. Each pocket park may include shade trees, playgrounds, seating, water fountains, shade structures, open play areas, picnic areas with pavilions, tables and grills, or other demographically appropriate recreation amenities/facilities as approved by the Parks Building and Development Services Department at time of FSP approval. Pocket parks may be reduced to a minimum of ¼ acre provided the applicant can demonstrate to the satisfaction of the Parks Building and Development Services Department that sufficient land areas ~~is~~ are provided to accommodate the recreational uses.
- c. Acreage for trails and greenways may count towards the acreage specified above. For any trails not located within a recreation area/park, the trail shall be calculated as 3 times the width times the length of the trail.
- d. Lakes, wetlands, and other water features may be partially or completely included in the recreation open space acreage provided they include recreation amenities such as fishing/observation piers, boardwalks, canoe/kayak/boat launches, swimming or other water related amenities. Acreage for the structures ~~this spaces~~ shall be calculated at 3 times the area of the recreation amenity structure itself (ie: the footprint of a fishing/observation pier) but shall not include the acreage of the entire water body unless the water body is designed to allow swimming.

- I(2) The Developer or HOA shall be responsible for the maintenance of all recreation and open space areas within the project site not dedicated to the County.

O(2) Residential

- b. Residential development (Except for Parcel 35) shall comply with the following dimensional standards:

| Type | Minimum Lot size (sq. ft.) | Minimum Lot Width | Front Setback (ft.) | Side Setback | Rear Setback (ft.) |
|------------------------|----------------------------|--------------------|----------------------|-----------------------|--------------------|
| SFD ⁵ | 6,500 SF ² | 55 FT ² | 20/15 ^{1,7} | 7 ² | 15 |
| SFA ^{5, 8, 7} | 2,500/3,500 SF | 25/35 FT | 20/15 ^{1,7} | 0/10 ⁶ | 15 |
| SFSD ⁵ | 3,850 SF | 35 | 20/15 ^{1,7} | 0/7.5 | 15 |
| Duplex ⁵ | 7,800 SF | 70 | 20/15 ^{1,7} | 7.5 | 15 |
| Multi-fam ⁴ | | | 25 | 15/40/50 ³ | 15 |

¹Front setback for units with side entry garages

²A maximum of 30% of the lots in each phase* may be reduced to a minimum lot area of 4,000 square feet, lot width of 40 feet, and side yard setback of 6 feet. These smaller lots shall be contained within a parcel or subphase of a parcel that is separated

from other single-family detached unit parcels by a minimum separation width of 25 feet, exclusive of lot areas.

³This distance is not a side yard setback, but the minimum distance between buildings. A 15' separation is required between one-story buildings, a 25' between two-story, 40' between 3-story, and 50' between 4-story buildings.

⁴Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.

⁵All duplexes and single-family residences shall be provided with a minimum of a one car garage for each dwelling unit.

⁶Applied to end units.

⁷The front yard setback in Parcel 35 shall be 25'. The front yard for residences with side loaded garages may be reduced to 20'.

⁸The lot width for SFA in Parcel 17 may be 20' with a minimum lot size of 2000'.

Dimensional Standards for Parcel 35

| Type | Minimum Lot size (Sq. Ft.) | Minimum Lot Width | Front Setback (ft.) | Side Setback (ft.) | Rear Setback (ft.) |
|------------------------|----------------------------|-------------------|---------------------|-----------------------|--------------------|
| SFD ⁴ | 6,500 SF ² | 52 FT | 20/15 ¹ | 5 | 15 |
| SFA ^{4, 8, 7} | 2,500/3,500 SF | 25/35 FT | 20/15 ¹ | 0/10 ^{8 5} | 15 |
| SFSD ⁴ | 3,850 SF | 35 | 20/15 ¹ | 0/7.5 | 15 |
| Duplex ⁴ | 7,800 SF | 70 | 20/15 ¹ | 7.5 | 15 |
| Multi-fam ³ | | | 25 | 15/40/50 ² | 15 |

¹Front setback for units with side entry garages

²This distance is not a side yard setback, but the minimum distance between buildings. A 15' separation is required between one-story buildings, a 25' between two-story, 40' between 3-story and 50' between 4-story buildings.

³Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.

⁴All duplexes and single-family residences shall be provided with a minimum of a one car garage for each dwelling unit.

⁵Applied to end units.

- c. Residential development in each parcel shall maintain consistency in unit type and size, unless otherwise specified above in condition O.(2).b, footnote 2 or in Stipulation O(2).h.i, and j below, except for development on Parcel 35.

J. Parcel 35

1. Lots along ~~Upper Manatee River Road~~ and along the southern boundary of Parcel 35, within 1,200 feet of Upper Manatee River Road, shall be limited to single-family detached residences. The landscape buffer along the southern boundary shall be ~~30~~ 15 feet wide and shall be planted in accordance with LDC Section 701.3.B.c.ii. No planting shall be required in the 15' buffer adjacent to off-site conservation easements.
- ~~3. Prior to Final Site Plan approval, the applicant shall provide a noise mitigation plan to the staff for mitigation of noise from Port Harbour Parkway and Upper Manatee River Road. Such analysis shall demonstrate noise mitigation based on the projected 2025 traffic volumes. Staff approved noise mitigation measures shall be shown on the approved Final Site Plan and installed prior to the issuance of the first Final Plat in Parcel 35.~~
3. Parcel 35 is approved for residential dwelling units ranging from 735 to 1,400, subject to the cumulative development limitations of the DRI. Per the Amended and Restated LDA dated August 12, 2014, certain unused DRI entitlements from other portions of the project may be available for use on Parcel 35 over time, and compliance with such LDA provisions shall be required at the time of PSP or FSP approval, as applicable. Dwelling units may be converted to other uses pursuant to the Land Use Equivalency Matrix (Exhibit 17). Upon utilization of the Land Use Equivalency Matrix, the applicant shall provide a table on the FSP indicating the exchange of units or square footage and corresponding increase or decrease of total unit counts and square footage by land use type. Development minimums and maximums for Parcel 35 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 17 of this Development Order.
4. Group Care Facilities: The primary licensing agency for group care facilities (ALFs, Hospices, etc.) is the Agency for Health care Administration (AHCA), 2727 Mahan Dr, Tallahassee, FL

32308, (888) 419-3456. Their inspection and approval is required. As a part of the AHCA licensing process the Department of Health performs a health and sanitation inspection, and a food hygiene certification. All requirements of Chapter 64E-12 and 64E-11, Florida Administrative Code shall be met prior to approval and licensure. Prior to construction, plans of the facility and its operation shall be submitted to and by the Florida Department of Health – Manatee County. Plans may be submitted by the owner, prospective operator or their designated representative. All plans shall comply with the requirements of this chapter. Contact Barbara Will at (941) 714-7585 for plan review information.

5. Connection to the County wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the construction plans review process for the project.

SPECIFIC APPROVAL - ANALYSES, RECOMMENDATIONS, FINDINGS

1. Requests:

LDC Section 402.7.D.5 states: “Greenbelts. In order to promote and enhance the creation of unique neighborhood units, each distinct neighborhood shall be bordered by a continuous greenbelt buffer measuring fifteen (15) feet in width and containing one shade tree, meeting minimum planting size standards in Section 701, planted every thirty (30) feet on center. Greenbelts are to be so planned that where two (2) PDR districts abut one another, the greenbelt buffer areas are contiguous. Streets and utilities providing inter-neighborhood ties may be permitted to pass through greenbelt buffer areas.”

The applicant requests elimination of the required greenbelt buffer tree planting along the southern property boundary of Parcel 35, in areas that are adjacent to off-site conservation easements.

Staff Analyses and Recommendation

The off-site conservation areas to the south of the project area are forested wetlands and are thereby providing the canopy that would be provided by the trees required to be planted.

Environmental Staff supports the request for specific approval and recommends approval because the applicant has demonstrated how the project will meet or exceed the intent of this section as required by LDC Section 402.4.B. Staff recommends approval of this request.

Finding For Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 402.7.D.5, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree because the off-site conservation easements are forested.

ATTACHMENTS:

1. Maps – Future Land Use, Zoning and Aerials
2. Revised GDP
3. Affidavit of Publishing
4. Specific Approval Request
5. Ordinance PDMU-99-02(G)(R7)

P.C. 04/14/16

PDMU-98-08(G)(R7) – HERITAGE HARBOUR (F.K.A. HERITAGE SOUND), DTS#20150173, MEPS#435

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending, consolidating and restating Ordinance PDMU-98-08(G)(R6), to amend the General Development Plan to: 1) Add a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35; 2) Add Commercial, Retail, Multi-family and Assisted Living Facility (ALF) as potential uses on Parcel 35 (without increasing DRI entitlements); 3) Show a numerical range of dwelling units for Parcel 35; 4) Realign Port Harbour Parkway extension through Parcel 35 and corresponding “update of notes”; 5) Specify the amount and types of development that may be authorized on Parcel 35, including recreational and open space requirements; 6) Provide flexibility in the separation between multi-family buildings and single-family development parcels; 7) Change the front yard setback for Parcel 35 from 25’/20’ to 20’/15’ to be consistent with residential development in the project; 8) Remove the requirement for a 30’ buffer along the southern boundary of Parcel 35; 9) Remove the requirement for a noise mitigation study for Parcel 35; 10) Update wetland information shown on GDP and modify provisions related to wetland buffers and impacts for Parcel 35; and 11) Other minor updates, terminology changes, and corrections to reflect previously approved changes and to provide consistency with other approved documents; Subject to stipulations as conditions of approval; providing a legal description; providing for severability and an effective date.

The Heritage Harbour DRI is generally located at the intersection of I-75 and SR 64, south of the Manatee River, and west of Upper Manatee River Road (2,784.7± acres) approximately one mile north of S.R. 64. Present zoning is PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection/Special Treatment Overlay).

P.C.: 04/14/16

B.O.C.C.: 05/5/16

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code as conditioned herein, I move to recommend **ADOPTION** of Manatee County Zoning Ordinance No. PDMU-98-08(G)(R-7) with Stipulations, amending and restating Ordinance No. PDMU-98-08(G)(R6), **RESTATING** Specific Approval previously granted for a project : 1) partially in an Entranceway; Restating the Adopted Findings for Specific Approval previously granted for alternatives to LDC Sections 900.6.C (formerly LDC Section 737.5.3 - Entrance way sign), 603.3.A (formerly LDC Section 724.6.4 – Sign plan), 701.3.A (formerly LDC Section 715.3.1 – Landscaping), 1005.4 (formerly LDC Section 710.1.4 - Reduction in Number of Size of Required Off-street Parking spaces), 1005.3.A, Table 10-2 (formerly LDC Section 710.1.6, Table B - Parking Ratios), **ADOPTION** of the Findings for Specific Approval; and **GRANTING** Specific Approval for an alternative to LDC Section 402.7.D.5 (Greenbelts), as recommended by staff.

| PROJECT SUMMARY | |
|---|--|
| CASE NUMBER: | PDMU-98-08(G)(R-7) |
| CASE NAME: | Heritage Harbour (f.k.a. Heritage Sound) |
| OWNER(S) | Lennar Homes, LLC - (owner & master developer) LNR Heritage Harbour, LLLP, - (Parcels 19 & 20) Manatee Land Investors, LLC & Upper Manatee 288, LLC - (Parcel 35) |
| APPLICANT(S): | Manatee Land Investors, LLC & Upper Manatee 288, LLC |
| FUTURE LAND USE CATEGORIES (Overall project): | Ag/R(Agriculture/Rural), P/SP-1(Public/Semi-Public-1), UF-3 (Urban Fringe-3 dwelling units per acre), & MU (Mixed Use) |
| FUTURE LAND USE CATEGORY for Parcel 35: | UF-3 (Urban Fringe-3 dwelling units per acre) |
| EXISTING ZONING: | PDMU (Planned Development Mixed Use) |
| OVERLAY DISTRICTS: | N/A |
| CASE PLANNER: | Stephanie Moreland |
| STAFF RECOMMENDATION: | Approval |
| SURROUNDING LAND USES AND ZONING | |
| NORTH | Single-family residences in Waterlefe Golf and River Club Subdivision zoned PDR(Planned Development Residential) |
| SOUTH | Single-family residences in Greenfield Plantation zoned PDR and A (General Agriculture-one dwelling per five acres) |
| EAST | Across Upper Manatee River Road, single-family residences zoned A-1(Suburban Agriculture-one dwelling per one acre) and PDR |
| WEST | Single-family residences in Heritage Harbor zoned PDMU |
| DETAILED DISCUSSION | |
| <p><u>History</u></p> <p>On March 21st, 2000, the Board of County Commissioners (B.O.C.C.) approved the Heritage Harbour (f.k.a Heritage Sound) DRI and General Development Plan (GDP) [PDMU-98-08(Z)(G)] with the uses and size limitations shown in the table below:</p> | |

| LAND USE CATEGORY | PHASE 1 2000-2004 | PHASE II 2004-2009 | ENTITLEMENTS |
|--|----------------------|-----------------------|--------------------|
| Commercial | | | |
| Retail | 300,000 s.f. | 497,000 s.f. | 797,000 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 300 | 300 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi-detached | 660 units | 480 units | 1,140 units |
| Multi-Family | 600 units | 990 units | 1,590 units |
| Total Residential Units: | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 18 holes | 27 holes | 45 holes |
| Park | 40.2 acres | | 40.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: *December 2004 (Phase One), and December 2009 (Phase II) | | | |

The Board of County Commissioners approved the following amendments to the GDP:

- June 17, 2003 – GDP [PDMU-98-08(G)(R)] was revised as shown in the following table:

| LAND USE CATEGORY | PHASE 1 2000-2009* | PHASE II 2004-2009* | ENTITLEMENTS |
|--|-----------------------|------------------------|--------------|
| Commercial | | | |
| Retail | 300,000 s.f. | 497,000 s.f. | 797,000 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 0 | 600 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | 500 units | 640 units | 1,140 units |
| Multi-family | 760 units | 830 units | 1,590 units |
| Total Residential Units | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | | 41.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: December 30 of referenced year for Phase 1 & December 31 for Phase two | | | |

- March 11, 2008 - GDP [PDMU-98-08(G)(R2)] was revised as shown in the following table:

| LAND USE CATEGORY | PHASE 1 2000-2012* | PHASE II 2004-2012* | ENTITLEMENTS |
|---|-------------------------------|--------------------------------|---------------------|
| Commercial | | | |
| Retail | 300,000 s.f. | 497,000 s.f. | 797,000 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 0 | 600 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | 500 units | 640 units | 1,140 units |
| Multi-family | 760 units | 830 units | 1,590 units |
| Total Residential Units | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | | 41.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: December 30 of referenced year for Phase 1 & December 31 for Phase II. The Build-out dates includes the 3-year extension authorized pursuant to Paragraph 380.06(19)©, F.S. | | | |

- June 3, 2010 GDP [PDMU-98-08(Z)(G)(R4)] was revised to allow a sign plan and add 54,900 square feet of commercial.

| LAND USE CATEGORY | PHASE 1 2000-2012* | PHASE II 2004-2012* | ENTITLEMENTS |
|---|-------------------------------|--------------------------------|---------------------|
| Commercial | | | |
| Retail ** | 300,000 s.f. | 551,900 s.f. | 851,900 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 0 | 600 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | 500 units | 640 units | 1,140 units |
| Multi-family | 760 units | 830 units | 1,590 units |
| Total Residential Units | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | | 41.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: *December 30 of referenced year for Phase 1 & December 31 for Phase II. The Build-out dates includes the 3-year extension authorized pursuant to Paragraph 380.06(19)©, F.S. **Development minimum and maximums for Parcels 19 & 20 shall be per Condition B (12) and the Land Use Equivalency Matrix (LUEM) included as Exhibit 15. | | | |

- October 6, 2011, GDP [PDMU 98-08(G)(R5)] was revised to allow: 1) an extension to the expiration date of the Certificate of Level of Service; 2) an extension to the build-out date; 3) an amendment to the Land Use Equivalency Matrix and 4) other amendments for internal consistency.

| LAND USE CATEGORY | PHASE 1 2000-2012* | PHASE II 2004-2017* | ENTITLEMENTS |
|--|-----------------------|------------------------|--------------|
| Commercial | | | |
| Retail ** | 300,000 s.f. | 551,900 s.f. | 851,900 s.f. |
| Office | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel | 150 rooms | 150 rooms | 300 rooms |
| ALF | 0 | 600 beds | 600 beds |
| Residential | | | |
| Single-family detached | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | 500 units | 640 units | 1,140 units |
| Multi-family | 760 units | 830 units | 1,590 units |
| Total Residential Units | 2,550 units | 2,450 units | 5,000 units |
| Marina | 162 wet slips | 300 dry slips | 462 slips |
| Golf Course | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | | 41.2 acres |
| Institutional | 7.5 acres | 2.8 acres | 10.3 acres |
| Build-Out Date: *December 30 of referenced year for Phase 1 & December 31 for Phase II. The Build-out dates includes the 3-year extension authorized pursuant to Paragraph 380.06(19)©, F.S. **Development minimum and maximums for Parcels 19 & 20 shall be per Condition B (12) and the Land Use Equivalency Matrix (LUEM) included as Exhibit 15. *** Residential units may be exchanged among the types of approved units per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15. | | | |

- November 6, 2012, Manatee County issued a formal determination (AD-12-15) granting conversion of 63,063 square feet of commercial/retail to 350 multi-family units applicable only to Parcels 19 & 20. On September 20, 2012, The Public Works Department, Transportation Planning Division approved the following Land Use Equivalency Matrix Table shown below:

**LAND USE EQUIVALENCY MATRIX
(APPLICABLE ONLY TO PARCELS 19/20)**

| | | CHANGE TO | | | | | |
|-------------|--|-------------------|---------------------------------|---------------------|----------------------|-------------------|-----------------|
| CHANGE FROM | | Hotel (1 Room) | Commercial/ Retail (Sq. Ft.) | Office (Sq. Ft.) | Multi-Family (DU) | Minimum | Maximum |
| | Hotel (1 Room) | — | 171.55 Sq. Ft. | 395.97 Sq. Ft. | 0.95 DUs | 80 Rooms | 300 Rooms |
| | Commercial/ Retail (1,000 Sq. Ft.) | 5.83 Rooms | — | 2,308.25 Sq. Ft. | 5.55 DUs | 400,000Sq. Ft. | 683,000 Sq. Ft. |
| | Office (1,000 Sq. Ft.) | 2.53 Rooms | 433.23 Sq. Ft. | - | 2.40 DUs | 0 Sq. Ft. | 100,000 Sq. Ft. |
| | Multi-Family 1 (DU) | 1.05 Rooms | 180.27 Sq. Ft. | 416.11 Sq. Ft. | — | 0 DU | 350 DUs |

Notes: Multi-Family = Apartments DU = Dwelling Unit Sq. Ft. = Square Feet
 1 Hotel Room equates to 171.55 Sq. Ft. of Commercial/Retail, 395.97 Sq. Ft. of Office, or 0.95 DUs of Multi-Family
 1,000 Sq. Ft. of Commercial/Retail equates to 5.83 Hotel Rooms, 2,308.25 Sq. Ft. of Office, or 5.55 DUs of Multi-Family
 1,000 Sq. Ft. of Office equates to 2.53 Hotel Rooms, 433.23 Sq. Ft. of Commercial/Retail, or 2.40 DUs of Multi-Family
 1 DU of Multi-Family equates to 1.05 Hotel Rooms, 180.27 Sq. Ft. of Commercial/Retail, or 416.11 Sq. Ft. of Office

THIS LAND USE EQUIVALENCY MATRIX APPLIES ONLY TO PARCELS 19 AND 20. ANY CONVERSIONS PURSUANT TO THIS MATRIX MAY ONLY BE UTILIZED BY THE OWNERS OF PARCELS 19 AND 20 AND MAY ONLY AFFECT LAND USE APPROVALS FOR PARCELS 19 AND 20.

- September 4, 2014 - GDP [PDMU -98-08(G)(R6)] was revised to: 1) update phasing and build-out dates to reflect previously authorized legislative extensions; 2) remove the 12.0 acre marina and designate the parcel for residential use; 3) update conditions to reflect compliance with requirements contained therein 4) modify certain design conditions and 5) other amendments for internal consistency.

| LAND USE CATEGORY | ACREAGE ¹ | PHASE I ² 2000-2017* | PHASE II ² 2004-2022* | ENTITLEMENTS |
|---|----------------------|------------------------------------|-------------------------------------|--------------|
| Commercial | 164.3 | | | |
| Retail ³ | | 300,000 s.f. | 551,900 s.f. | 851,900 s.f. |
| Office ³ | | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel ³ | | 150 rooms | 150 rooms | 300 rooms |
| ALF | | 0 | 600 beds | 600 beds |
| Residential⁴ | 1302.3 | | | |
| Single-family detached | | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | | 500 units | 640 units | 1,140 units |
| Multi-family | | 760 units | 830 units | 1,590 units |
| Total Residential Units | | 2,550 units | 2,450 units | 5,000 units |
| Right of Way | 67.9 | | | |
| Open Space | 1250.2 | | | |
| Golf Course | 250 acres | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | 41.2 acres | | 41.2 acres |
| Wetlands, Lakes, Passive Recreation | 959 | | | |
| Total | 2784.7 | | | |

*November 21st of referenced year for Phase 1 and Phase II.

¹ Acreage figures subject to adjustment due to final survey and platting, surveyed jurisdictional determinations, permit survey data, etc.

² The Phase 1 and II build-out dates include the three year extension authorized pursuant to Paragraph 380.06(19)(c), Florida Statutes and legislatively authorized extensions pursuant to HB 7207 and F.S. 252.363.

³ Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.

⁴ Residential units may be exchanged among the types of approved units per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.

PROPOSED CHANGES:

The applicant requests the following modifications. Analysis for each specific modification to the GDP is detailed below:

1. Add a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35;

The applicant proposes a Land Use Equivalency Matrix (LUEM) for Parcel 35 only, submitted as Exhibit 17 to the Development Order. The purpose of the LUEM is to provide for the allocation of entitlements among various types of uses so as to broaden the range of uses available within the limitations of vehicle trips.

The Equivalency Matrix (shown below) was reviewed, accepted and approved on February 18, 2016, by the Transportation Planning Division of Manatee County Public Works Department. The Equivalency Matrix insures that no additional traffic impacts are created provided that the matrix multipliers are used for land use tradeoffs.

EXHIBIT 17
PARCEL 35 LAND USE EQUIVALENCY MATRIX

| Land Uses To Be Traded | | Equivalent Land Uses | | | | | | | |
|-------------------------------|---|--|--|---------------------------------------|---|---|---|----------------|----------------|
| ITE Code: | Land Use Description | # of single-family dwelling units | # of single-family attached units | # of multi-family (apartments) | # of Assisted Living Facility Beds¹ | # of sq. ft. Specialty Retail ² | # of sq. ft. Convenience Market ³ | Minimum | Maximum |
| <u>210</u> | <u>Single-family detached (dwelling unit)</u> | <u>1.00</u> | <u>1.92</u> | <u>1.61</u> | <u>4.55</u> | <u>369.00</u> | <u>28.93</u> | <u>251</u> | <u>832</u> |
| <u>230</u> | <u>Single-family attached</u> | <u>0.52</u> | <u>1.00</u> | <u>0.84</u> | <u>2.36</u> | <u>191.88</u> | <u>15.04</u> | <u>167</u> | <u>959</u> |
| <u>220</u> | <u>Multi-family Apartment (Dwelling Unit)</u> | <u>0.62</u> | <u>1.19</u> | <u>1.00</u> | <u>2.82</u> | <u>228.78</u> | <u>17.93</u> | <u>0</u> | <u>398</u> |
| <u>254</u> | <u>Assisted Living Facility (Bed)¹</u> | <u>0.22</u> | <u>0.42</u> | <u>0.35</u> | <u>1.00</u> | <u>81.18</u> | <u>6.36</u> | <u>0</u> | <u>229</u> |

General Note: The calculation must always be read from left to right. Start in the "Land Uses to be Traded" column at the appropriate row and proceed horizontally to the appropriate "Equivalent Land Uses" column. The equivalent is noted at the intersection of that row and column. For example, one Single-Family Attached Dwelling Unit ("Land Uses to Be Traded", second row) can be traded into 191.88 square feet of Specialty Retail ("Equivalent Land Uses", fifth column).

General Note: All rates used are P.M. Peak Hour

¹ Includes Group Care Home, "Small and "Large"

² Specialty Retail ITE Land Use Code is 826. Includes Neighborhood and General Retail Sales, Eating Establishment, Bank, Business Services, Professional Office, Clinic, Neighborhood Dry Cleaner, Day Care, Personal Service Establishment, School of Special Education, Post Office, Private Community Use, Public Community Use, Medium Intensity Recreational Use.

³ Convenience Market ITE Land Use Code is 852. Includes Convenience Retail.

2. Add commercial, retail, multi-family and ALF as potential uses on Parcel 35 (as entitlements may be attained through LUEM);

Parcel 35 has 289± acres and approximately 2,657 feet of frontage along Upper Manatee River Road.

The Manatee County Comprehensive Plan designates the site as UF-3 (Urban Fringe-3 dwelling units per acre) on the Future Land Use Map. According to the Manatee County Comprehensive Plan, "these UF-3 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community."

This segment of Upper Manatee River Road is transitioning from agricultural uses to a mix of residential and commercial uses (at the intersection of S.R. 64 and Upper Manatee River Road). Uses immediately surrounding Parcel 35 are as follows: To the north is the Waterlefe Golf and River Club Subdivision (706 lots-single-family detached & multi-family), zoned PDR; Greenfield Plantation Subdivision (616 residential lots) and golf course is to the south and zoned PDR; Parcels 31 and 33, Heritage Harbour DRI, is to the west and developed with single-family residences; To the east, adjacent to the south east boundary is a single-family residence zoned A-1. Across Upper Manatee River Road, to the east, are single-family residences in Gates Acres Subdivision zoned A-1 and Gates Creek Subdivision zoned PDR.

Currently, uses approved for Parcel 35 include single-family attached, single-family detached, and single-family semi-detached dwelling units. The proposed potential multi-family and ALF will add to the mix of residential use types. The proposed potential commercial/retail uses are limited to retail wholesale or office commercial uses which function in the marketplace as neighborhood or community serving uses (Policy 2.2.1.11.2).

Manatee County Comprehensive Plan defines 'Retail uses-Community Serving' as "Commercial establishments, or groupings thereof, that in addition to serving day-to-day commercial needs of a community, also supply the more durable and permanent needs of a community (e.g., home improvement centers, furniture stores, movie theaters, bowling alleys, junior department stores, automobile sales). The uses may also include office uses for personal or professional services. Certain community-serving retail uses may also be considered as intensive commercial uses."

Additionally the Manatee County Comprehensive Plan defines 'Retail Uses – Neighborhood as "Commercial establishments, or groupings thereof, that serve the commercial needs of the neighborhood (e.g. food stores, convenience stores, drug stores, restaurants). The uses may also include office uses for personal or professional services."

Single-family attached, single-family detached, multi-family, and ALF and commercial retail are the proposed uses shown on the Equivalency Matrix for Parcel 35 (shown above). Parcel 35 will be eligible for commercial uses with the realignment of Port Harbour Parkway.

3. Show a numerical range of dwelling units for Parcel 35;

The Local Development Agreement governs the allocation of a maximum number of residential units to Parcel 35 out of the total number of residential units approved for the entire DRI. The following language is proposed for Stipulation O(2)J.3.

The Amended and Restated Local Development Agreement, dated September 4, 2014, as recorded in Official Records Book 2535, Pages 5795-5818 of the Public Records of Manatee County, Florida, provides in §1.4 for the maximum number of residential units allocated to Parcel 35 from the surplus residential units on the remainder of the Heritage Harbour DRI, as being in the range of 735 to 1,400 residential units out of a total of 5,000 residential units approved for the Heritage Harbour DRI as a whole. The allocation of residential units allocated to Parcel 35 in terms of minimums and maximums for each type of use and structure type shall be in accordance with the Parcel 35 Land Use Equivalency Matrix attached as Exhibit 17.

4. Realign Port Harbour Parkway Extension through Parcel 35 and corresponding "update of notes";

The site will be within 1,500 feet of two functionally classified roadways; Upper Manatee River Road and the future Port Harbour Parkway. The 2030 Future Traffic Circulation Functional Classification Map indicates these roadways as Arterial and Urban Collector, respectively. Currently, Port Harbour Parkway is constructed and extends from Kay Road eastward to Winding River Trail. A small segment of the parkway west of Parcel 35 is not constructed. This part of the Port Harbour Parkway was planned to connect a roadway between the Waterlefe Golf and River Club Subdivision (north) and Parcel 35. The applicant proposes to change the alignment of Port Harbour Parkway to run through the northern and central part of Parcel 35 ending at Upper Manatee River Road.

The new alignment provides an opportunity to locate an alternative second access to Upper Manatee River Road if the need arises in the future. It will be contingent upon Traffic Design staff at the Final Site Plan level to

either accept the location with the stated separations or suggest a new location based on prevailing conditions. In this context, Transportation Planning staff has no concerns and does not object to the proposed alignment.

The Manatee County Comprehensive Plan, Land Use Operative Section states: “in defining a node, the point of intersection of rights-of-way (as used below) may be determined by Manatee County to be based on a relocated or widened functionally classified roadway where such relocation or widening has not yet been effected, but where preliminary design has established the location of future right-of-way related to the relocation/widening.” Though this segment of Port Harbour Parkway is not yet constructed all the way to Upper Manatee River Road, the site meets commercial locational criteria and is eligible to be considered for commercial development in accordance with the approved Equivalency Matrix for Parcel 35.

5. Specify the amount and types of development that may be authorized on Parcel 35, including recreational and open space requirements;

Uses currently approved for Parcel 35 include single-family attached, single-family detached, and single-family semi-detached dwelling units. The proposed potential multi-family and ALF will add to the mix of residential use types. The proposed uses are shown on the Equivalency Matrix for Parcel 35 (shown above).

If the realignment of Port Harbour Parkway is approved, Parcel 35 will be eligible for commercial development acquired through the approved Land Use Equivalency Matrix for Parcel 35. As previously stated, the Amended and Restated Local Development Agreement, dated September 4, 2014, governs the allocation of a maximum number of residential units to Parcel 35 out of the total number of residential units approved for the entire DRI.

Under Recreation and Open Space (Section I), the applicant proposes to modify Stipulation I(1).a, which currently states: “In addition to the recreation space shown on the GDP, an additional three “pocket parks” for active recreation shall be distributed (1/4-1/2 mile maximum distance from homes to parks or greenways leading to parks) within said parcel. These parks shall be connected with pedestrian sidewalks.”

The proposed modified stipulation states: “Parcel 35 shall contain a 2-acre useable recreational area, unless a suitable alternative is approved by the Building and Development Services Director with the Final Site Plan.”

The applicant also proposes to change Stipulation I(1), to reflect 2-acre useable park area for Parcel 35 which is currently designated to have five (5) acres of usable park area.

6. Provide flexibility in the separation between multi-family buildings and single-family development parcels;

Currently Footnote 4, under the Dimensional Standards in O(2).a. states: “Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.” This stipulation currently applies to the dimensional requirements for all residential developments in the Heritage Harbour DRI.

The applicant proposes to exclude Parcel 35 from this requirement, and has provided a separate dimensional table for Parcel 35. Under the new Dimensional Table proposed for Parcel 35, the previous footnote #4 is changed to footnote #3.

The proposed footnote #3 under the new Dimensional Table for Parcel 35 states: “Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels. The minimum separation between multi-family and single-family development parcels may be reduced by the Planning Director if determined that the design including screening and buffering is appropriate.”

The applicant requests flexibility in reducing the 50-foot and 100-foot minimum setback between multi-family and single-family development parcels in footnote 3 under the proposed Dimensional Standards for Parcel 35 and also requests that this flexibility in the separation reduction be approved administratively if the design including screening and buffering is appropriate.

The applicant has not provided a design or layout of the buildings with this request nor has the applicant indicated how much flexibility in reduction may be needed. Therefore, without a layout plan, staff cannot determine the amount of flexibility, or how much reduction may be acceptable. Additionally, the Comprehensive Plan requires consideration of surrounding developments. In this case, Parcel 35 is adjacent to existing single-family developments on three sides and Upper Manatee River Road on the other. To maintain consistency with the other parcels in the Heritage Harbour DRI, staff recommends flexibility be limited to the requirements of LDC Section 324, Administrative Changes, which is currently 10%. No change to the existing stipulation is required since the LDC regulates Administrative Changes.

7. Change the front yard setback for Parcel 35 from 25'/20' to 20'/15' in order to be consistent with residential development in the project;

The approved front yard setbacks for the Heritage Harbour DRI is 20 feet, except for Parcel 35 and multi-family uses on other Parcels. Currently, the front yard setback for multi-family uses and Parcel 35 is 25 feet (stipulated in O(2)b, footnote 7). To maintain consistency throughout the DRI project, staff supports the 20-foot front yard setbacks proposed for Parcel 35. The applicant proposes a separate Dimensional Standards Table for Parcel 35 which is to be added to Section O.2 (Residential) stipulation O.2.(b) of the Zoning Ordinance. Changes to the conditions in Section O (Residential) are shown below in strike-thru and underline format.

Dimensional Standards for Parcel 35

| <u>Type</u> | <u>Minimum Lot size (Sq. Ft.)</u> | <u>Minimum Lot Width</u> | <u>Front Setback (ft.)</u> | <u>Side Setback (ft.)</u> | <u>Rear Setback (ft.)</u> |
|------------------------|--|---------------------------------|-----------------------------------|----------------------------------|----------------------------------|
| SFD ⁴ | 6,500 SF | 52 FT | 20/15 ¹ | <u>5</u> | <u>15</u> |
| SFA ⁴ | 2,500/3,500 SF | 25/35 FT | 20/15 ¹ | 0/10 ⁵ | <u>15</u> |
| SFSD ⁴ | 3,850 SF | 35 | 20/15 ¹ | 0/7.5 | <u>15</u> |
| Duplex ⁴ | 7,800 SF | 70 | 20/15 ¹ | 7.5 | <u>15</u> |
| Multi-fam ³ | | | 25 | 15/25/40/50 ² | <u>15</u> |

¹Front setback for units with side entry garages

²This distance is not a side yard setback, but the minimum distance between buildings. A 15' separation is required between one-story buildings, a 25' between two-story, 40' between 3-story and 50' between 4-story buildings.

³Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.

⁴All duplexes and single-family residences shall be provided with a minimum of a one car garage for each dwelling unit.

⁵Applied to end units.

8. Remove the requirement for a 30' buffer along the southern boundary of Parcel 35;

LDC Section 402.7.D.5 states: "(Greenbelts). In order to promote and enhance the creation of unique neighborhood units, each distinct neighborhood shall be bordered by a continuous greenbelt buffer measuring fifteen (15) feet in width and containing one shade tree, meeting minimum planting size standards in Section 715, planted every thirty (30) feet on center. Greenbelts are to be so planned that where two (2) PDR districts abut one another, the greenbelt buffer areas are contiguous. Streets and utilities providing inter-neighborhood ties may be permitted to pass through greenbelt buffer areas."

Currently, Stipulation (O2).j.1 of the Zoning Ordinance requires a 30-foot wide buffer along the southern boundary of Parcel 35. The applicant requests removal of the language in the stipulation pertaining to the 30-

foot wide buffer requirement and Specific Approval to not provide tree planting in portions of the 15-foot wide buffer as required in LDC Section 402.7.D.5, and required screening in LDC Section 701 where the buffer abuts off-site conservation easements.

The southern boundary of Parcel 35 is adjacent to forested wetland areas, a golf course and residential properties in Greenfield Plantation Subdivision. According to the applicant, “additional buffer is not needed in this location, as the open golf course and wetlands provide a large separation between the existing residential uses to the south and the future development of the subject parcel.”

Environmental staff supports elimination of the required tree plantings in the 15-foot wide greenbelt buffer that abut off-site conservation easements. Staff recommends Stipulation (O2).j.1 be revised to reduce the required buffer width to 15 feet in accordance with LDC Section 402.7.D.5 as follows: ~~Lots along Upper Manatee River Road and along the southern boundary of Parcel 35, within 1,200 feet of Upper Manatee River Road, shall be limited to single-family detached residences. The landscape buffer along the southern boundary shall be 30~~ 15 feet wide and shall be planted in accordance with LDC Section 701.3.B.c.ii. No planting shall be required in the 15' buffer adjacent to off-site conservation easements.

9. Remove the requirement for a noise mitigation study for Parcel 35;

Parcel 35 is not adjacent to the I-75 Corridor. Parcel 35 is in the eastern part of the Heritage Harbour DRI and has approximately 2,255 feet of frontage along the west side of Upper Manatee River Road. The south-easternmost boundary is adjacent to a one-acre parcel with a single-family home, zoned A-1.

Currently, Parcel 35 is approved for residential uses only. The applicant requests removal of Stipulation (O2).j.3 which states: “Prior to Final Site Plan approval, the applicant shall provide a noise mitigation plan to the staff for mitigation of noise from Port Harbour Parkway and Upper Manatee River Road. Such analysis shall demonstrate noise mitigation based on the projected 2025 traffic volumes. Staff approved noised mitigation measures shall be shown on the approved Final Site Plan and installed prior to the issuance of the first Final Plat in Parcel 35.”

According to the applicant, “it is unusually restrictive to require a noise mitigation study along a roadway that is not an interstate road. Additionally, it should be noted that the planned single-family residential units will be significantly setback from Upper Manatee River Road and screened by a compliment of non-residential buildings and potentially a group care home. Any multi-family or group housing planned adjacent to Upper Manatee River Road will use sound mitigation construction techniques, as a matter of standard practice when building adjacent to a thoroughfare.”

Staff believes that if the above stipulation is deleted, Parcel 35 is still subject to applicable regulations of the LDC which provide certain mitigating techniques through buffering and screening regulations to help alleviate any potential adverse impacts that might affect residential dwellings in proximity to Upper Manatee River Road. The applicant has not presented a plan which shows the layout of any proposed development on Parcel 35 but has indicated that single-family homes will be placed along the southern boundary of Parcel 35, west of the existing single-family residence on the A-1 zoned property which has a depth of more than 100 feet. In addition to required buffers and screening, the existing A-1 parcel will provide additional separation from Upper Manatee River Road.

10. Update wetland information shown on GDP and modify provisions related to wetland buffers and impacts for Parcel 35;

The applicant proposes to add language to Stipulation C(1).d, (Environment) of the Zoning Ordinance which states: “Wetland buffers for Parcel 35 shall be per State approvals (i.e. ERP, SWFWMD)”. The Environmental Staff of the Building and Development Services Department are not in agreement with the applicant's proposed change to Stipulation C(1).d. Therefore, no change to the stipulation is reflected in the revised zoning ordinance.

The following Summary of Wetland Impacts, Table 13.4 (Revised October 2006) is being revised and attached to the Ordinance as Exhibit 2:

| Table 13.4 Summary of Wetland Impacts Proposed (Revised January 13, 2016) (Cont.) Within Heritage Harbour inclusive of Moore's Dairy | | | | |
|--|----------------------------------|------------------------|-------------------------------------|-------------------------|
| Wetland I.D. | Wetland Type at Impact Locations | Impact Type | Ecological Quality of Impacted Area | Acres of Impact |
| Impacts associated with Heritage Harbour (original project area) | | | | |
| BB | Forested | Road | Medium/High | 0.20 |
| BB | Herbaceous | Drainage Improvements | Medium/High | 1.06 |
| CCC | Herbaceous | Stormwater | Medium/Low | 0.25 |
| DD | Herbaceous | Golf | Low | 0.62 |
| E | Forested | Road | Medium/Low | 0.04 |
| F1 | Herbaceous | Commercial | Medium | 0.76 |
| F2 | Herbaceous | Commercial | Medium | 2.98 |
| FF | Herbaceous | Commercial | Medium/Low | 0.94 |
| G | Herbaceous | Commercial | Medium/Low | 2.89 |
| G2 | Herbaceous | Commercial | Medium/Low | 0.23 |
| GG | Herbaceous | Road/Commercial | Medium | 1.19 |
| H | Forested | Road | Low | 0.11 |
| I1 | Forested | Golf | Low | 0.49 |
| I2 | Herbaceous | Golf | Low | 0.17 |
| I3 | Forested | Golf | Low | 0.30 |
| II | Shrub | Drainage Improvements | Low | 0.01 |
| J | Forested | Golf | Low | <0.001> |
| J | Forested Road | Road | Low | 0.07 |
| K | Forested | Road | Medium/High | 0.17 |
| K | Forested | Golf | Medium/High | <0.001 |
| NN | Herbaceous | Residential/Stormwater | Medium/Low | 0.40 |
| PP | Herbaceous | Road | Low | 0.10 |
| Table 13.4(Revised January 13, 2016) Continued – page 2. Summary of Wetland Impacts Proposed Within Heritage Harbour Inclusive of Moore's Dairy | | | | |
| Wetland I.D. | Wetland Type at Impact Locations | Impact Type | Ecological Quality of Impacted Area | Acres of Impact |
| Impacts associated with Heritage Harbour (original project area) | | | | |
| Q | Forested | Road/Commercial | High | 5.02 |
| Q2 | Forested | Road | Medium/High | 0.71 |
| R | Herbaceous | Road | Medium | 1.47 |
| S | Herbaceous | Road | Medium/High | 1.05 |
| S | Forested | Road | High | 3.43 |
| VI | Forested/Shrub | Road | Medium/Low | 0.01 |
| WH | Forested | Road | Medium | 0.49 |
| WH | Forested/Herbaceous | Golf | Medium/Low | 0.23 ¹ |
| X | Forested | Golf | Medium | 0.11 ¹ |
| ZZZ | Rim ditch | Road | Low | 0.01 |
| River Marsh | Herbaceous | Road | High | 0.13 |
| River Marsh | Forest/Herb | Golf | Medium | 0.16 ¹ |
| River Marsh | Herbaceous | Marina | High | 1.50 |
| Heritage Harbour Wetland Impact Acreage Subtotal => | | | | 27.3² |
| Wetland Impact Credit Available pursuant to the DO* => | | | | 2.04* |
| Moore's Dairy | | | | |
| A | Herbaceous | Residential | Very Low | 0.29 |

| | | | | |
|---|-------------------|--------------------|---------------------|----------------------|
| B | Herbaceous | Residential | Very Low | 0.60 |
| C | Herbaceous | Residential | Very Low | 0.96 0.00 |
| D | Herbaceous | Residential | Very Low | 0.66 0.83 |
| E | <u>Herbaceous</u> | <u>Residential</u> | <u>Very Low</u> | <u>0.50</u> |
| F | Herbaceous | Residential | Low | 0.74 0.00 |
| G | Herbaceous | Residential | Very Low | 0.86 |
| H | Herbaceous | Residential | <u>Very Low</u> | 0.03 |
| Reserve (C & F) | <u>Herbaceous</u> | <u>Residential</u> | <u>Low</u> | <u>1.03**</u> |
| Moore's Dairy Wetland Impact Acreage Subtotal = > | | | | 4.14 |
| TOTAL WETLAND IMPACT AREA => | | | | 33.48 |

| Wetland I.D. | Acres Impacted | Type | Quality | Reason for Impact | NRD Objection |
|--------------|----------------|------------|---------|-------------------|---------------|
| A | 0.29 | Herbaceous | Low | Road | No |
| B | 0.60 | Herbaceous | Low | Lots | No |
| D | 0.83 | Herbaceous | Low | | No |
| E | 0.50 | Herbaceous | Low | | No |
| G | 0.86 | Herbaceous | Low | Lots | No |
| H | 0.03 | Herbaceous | Low | | No |

¹Temporary impacts only associated with selective clearing for golf flight paths. A total 1.22 acres of selective clearing was identified pursuant to PDMU-9808/FSP-04-100; 0.5 acres which resulted temporary wetland impacts. ²Of 27.3 acres of

the wetland impacts, 0.5 acres are temporary impacts associated with selective clearing. Therefore, permanent impacts are limited to 26.8 acres.

*Miscellaneous impact reserved for future site plan revisions; administrative authorization may be granted based on Manatee County Final Site Plan standards.

**For Moore's Dairy – indicates miscellaneous impact acreage reserved for future site plan revisions. This reserve brings the Moore's Dairy total to 4.14 acres (consistent with the previously tabulated wetland impact subtotal for Moore's Dairy per version of Table 13.4 revised October 2006).

The Environmental Review Section of the Building and Development Services Department indicates the overall wetland acreage as 6.61± acres. Wetland impacts proposed total 3.11± acres.

Wetlands:

According to the environmental narrative provided by Steinbaum & Associates dated August 27, 2015, there are eight (8) jurisdictional wetlands within the project area totaling 6.61 acres. Of these, six (6) are being impacted, as they are very low quality and are spread throughout the project area.

The two not being impacted will serve as wetland mitigation through enhancement and wetland creation adjacent to one or the other wetland, to be determined and detailed with the Final Site Plan for the project area. As part of the revisions to the prior ordinance conditions, the applicant is providing an updated Table 13.4 in strike-through & underline format for staff to review and approve.

Uplands:

According to the environmental narrative there is no native upland habitat on-site, as the site has served as grazing land for cattle.

Endangered Species:

According to the environmental consultant no listed species were observed on-site during several site visits. A stipulation is provided to require a formal listed species survey be provided at Final Site Plan.

Trees

There appear to be very few trees on-site so an inventory is not required at the GDP stage. Tree removal and replacement will be required to be addressed with the Final Site Plan in accordance with the LDC requirements.

Landscaping/Buffers:

Since this is a General Development Plan there is not sufficient detail for the applicant to determine and provide landscaping information, therefore, these requirements will be reviewed and approved with the Final Site Plan. The applicant has been informed that if Specific Approvals are needed, this would be the time to request them, as they require Board approval.

The Environmental Review Section of the Building and Development Services Department recommends six new stipulations to be added to Section C of the Zoning Ordinance. Changes to the conditions in Section C (Environment) are shown further below in the staff report in strike thru and underline format:

11. Other minor updates, previously granted legislative extensions, terminology change, and corrections to reflect previously approved changes and to provide consistency with other approved documents;

Florida Statutes §252.363 authorized the tolling and extension of buildout dates of development orders. In 2015, a State of Emergency (Executive Order 15-173) was declared for Tropical Storm Erika which changed the buildout dates for the Revised General Development Plan modified in Table 1 (Development Totals) below.

Only the development conditions being revised or added are shown below in strike-thru and underline format.

Section 4. GENERAL DEVELOPMENT PLAN

- A. The General Development Plan, dated June 2015 ~~January 2013~~ is hereby APPROVED to allow a multi-use development, with the following conditions and
- B. The previous development order for Heritage Harbour, which was adopted on September 4, 2014 ~~October 6, 2014~~, and all subsequent amendments are hereby replaced in their entirety, provided this amendment shall not be construed to terminate the rights of the developer, if any, granted under Section 163.3167(8) Florida Statutes, to the extent such rights have previously been granted and not specifically herein or otherwise modified or amended.

DEVELOPMENT APPROVAL AND LEVEL OF SERVICE CERTIFICATE CONDITIONS

TABLE 1 – DEVELOPMENT TOTALS

TYPE OF DEVELOPMENT: Multi-Use Development

LOCATION: Northeast of the intersection of I-75 and SR 64

TOTAL DEVELOPMENT AMOUNTS:

Development Totals in Table 1 of PDMU-98-08(G)(R6) are being adjusted to incorporate the conversion of Commercial/Retail to Multi-Family Under the Land Use Equivalency Matrix for Parcels 19 and 20.

| LAND USE CATEGORY | ACREAGE ¹ | PHASE 1 ² 2000-2017 2019* | PHASE II ² 2004-2022 2024* | ENTITLEMENTS |
|--|-----------------------------|---|--|------------------------------------|
| Commercial | 164.3 154.0 | | | |
| Retail ³ | | 300,000 s.f. | 551,900 488,837 s.f. | 851,900 788,837 s.f. |
| Office ³ | | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel ³ | | 150 rooms | 150 rooms | 300 rooms |
| ACLF ALF | | 0 | 600 beds | 600 beds |
| Residential ⁴ | 1302.3 1282.6 | | | |
| Single-family detached | | 1,290 units | 980 units | 2,270 units |
| Single-family attached or semi detached | | 500 units | 640 units | 1,140 units |
| Multi-family | | 760 units | 830 1,180** units | 1,590 1,940** units |
| Total Residential Units | | 2,550 units | 2,450 units | 5,000 units |
| Right of Way | 67.9 | | | |
| Open Space | 1250.2 | | | |
| Golf Course | 250 acres | 36 holes | 9 holes | 45 holes |
| Park | 41.2 acres | 41.2 acres | | 41.2 acres |
| Wetlands, Lakes, Passive Recreation | 959 | | | |
| Total | 2784.7 | | | |
| <p>*November 21st of referenced year for Phase 1 and Phase II.</p> <p>¹ Acreage figures subject to adjustment due to final survey and platting, surveyed jurisdictional determinations, permit survey data, etc.</p> <p>² The Phase 1 and II build-out dates include the three year extension authorized pursuant to Paragraph 380.06(19)(c), Florida Statutes and legislatively authorized extensions pursuant to HB 7207 and F.S. 252.363.</p> <p>³ Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.</p> <p>⁴ Residential units may be exchanged among the types of approved units per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.</p> <p>⁵ Part of total project area of 2,784.7.</p> <p>⁶ Development minimums and maximums shall be per the LUEM included as Exhibit 17.</p> <p>⁷ Because mitigation has been completed for PH I and PH II, residential entitlements remaining at the end of Phase I may be carried over to Phase II.</p> <p>**This number includes 350 multi-family units approved through Equivalency Matrix (AD12-15, dated 11/06/12) which allows for conversion of units, but is not included in total of residential units. Total entitlements for residential units remain 5,000 units.</p> | | | | |

B. TRANSPORTATION CONDITIONS

- B(5). Prior to commencement of Phase II, the developer shall dedicate 100 feet of right-of-way and construct Port Harbour Parkway as a two-lane thoroughfare roadway, including sidewalks, bike lanes, appropriate intersection improvements and associated retention, from its I-75 terminus to the eastern boundary of the original 2,485 acre tract. (Completed)

For that portion of Port Harbour Parkway, planned through Parcel 35 on the north side of the 288 acre addition (Parcel 35), adjacent to where the Waterlife project previously dedicated 42 feet of right-of-way, the Developer* shall dedicate the necessary remaining right-of-way to achieve a total width of 105 feet for the eastern most 500 foot segment and 100 feet for the remaining segment, prior to the first Final Plat approval in Parcel 35. [The provisions of this Section B(5) have been supplanted by the LDA.]

This segment of Port Harbour Parkway shall be completed as a two lane divided roadway (outer lanes) with bike lanes and sidewalks and include the ultimate configuration of Port Harbour Parkway

at the intersection of Upper Manatee River road as set forth in Stipulation in B(9). Temporary striping shall be utilized until the full intersection improvements are made by the county.

B(8) In addition to the access shown on the GDP for Parcel 35, an access shall be provided to Upper Manatee River Road. The second street access shall have a minimum separation of 1,300 feet from Port Harbour Parkway and 800 feet from 2nd Avenue East or an acceptable alternative, as approved by staff. [The provisions of this Section B(8) have been supplanted by the LDA.]

B(12) Only Parcels 19 and 20 allow for the conversion of commercial/Retail, Office, and Hotel uses. Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15. Parcel 35 allows for the exchange of land uses per the Land Use Exchange Matrix (LUEM), included as Exhibit 17.

B(14) Upon utilization of ~~the~~ any Residential Land Use Equivalency Matrix, ~~at time of FSP review,~~ the applicant shall provide a table on the FSP indicating the exchange of units, or square footage, and corresponding increase or decrease of total unit counts and square footage by land use type.

B(15) Land Use Equivalency Matrices (LUEM) for Parcels 19 and 20 and Residential uses are included as Exhibit 15 of this Ordinance. Land Use Equivalency Matrix for Parcel 35 is included as Exhibit 17. The Tampa Bay regional Planning council and the Florida Department of Economic Opportunity will have a minimum 14-day, maximum 21-day review of any/all proposed conversions of the LUEM prior to approval by Manatee county. The applicant shall provide written notice to the Tampa Bay Regional Planning council and the State Land Planning Agency of all proposed conversions under the LUEM and submit proof of such notice to Manatee County prior to approval by Manatee County of such conversions in accordance with this section. In addition, all future conversions shall be duly noted within subsequent Biennial Report submitted for the project.

C. ENVIRONMENT

C(1). Vegetation, Wildlife, and Wetlands

g. Post-development wetlands, conservation tracts, and mitigation areas shall be regarded as preservation areas for the purpose of protecting their natural attributes. These areas shall be placed under conservation easements conveyed to Manatee County consistent with the restrictions on development provided for in Section ~~706~~ 749 of the Land Development Code.

n. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with Final Plat approval.

o. The developer shall provide an updated study, consistent with Policy 3.3.2.1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or federal agency, shall be provided to the County for any listed species found on-site, prior to Final Site Plan approval.

p. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.

q. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.

r. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:

- Digital photographs of the well along with nearby reference structures (if existing).
- GPS coordinates (latitude/longitude) of the well.
- The methodology used to secure the well during construction (e.g. fence, tape).
- The final disposition of the well - used, capped, or plugged.

- s. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

I. RECREATION AND OPEN SPACE

- I(1) The Project shall contain, at a minimum, 893.9 acres of open space. The property designated for recreation purposes shall include a 37.0 acre community park open to the public, a 4.2 acre private neighborhood park, ~~a~~ 250.0 acres of golf, and ~~5~~ 2 acres of usable park area in Parcel 35.

The usable park area in Parcel 35 shall be provided as follows:

- a. Parcel 35 shall contain a In addition to the 2-acre useable recreational area, recreation space shown on the GDP, an additional three “pocket parks” for active recreation shall be distributed (1/4-1/2 mile maximum distance from homes to parks or greenways leading to parks) within said parcel unless a suitable alternative is approved by the Building and Development Services Director with the Final Site Plan. These parks shall be connected with pedestrian sidewalks.
- b. The size, location, and configuration of each pocket park shall be approved by Manatee County with each Final Site Plan and shall generally be a minimum of 1 acre. Each pocket park may include shade trees, playgrounds, seating, water fountains, shade structures, open play areas, picnic areas with pavilions, tables and grills, or other demographically appropriate recreation amenities/facilities as approved by the Parks Building and Development Services Department at time of FSP approval. Pocket parks may be reduced to a minimum of ¼ acre provided the applicant can demonstrate to the satisfaction of the Parks Building and Development Services Department that sufficient land areas ~~is~~ are provided to accommodate the recreational uses.
- c. Acreage for trails and greenways may count towards the acreage specified above. For any trails not located within a recreation area/park, the trail shall be calculated as 3 times the width times the length of the trail.
- d. Lakes, wetlands, and other water features may be partially or completely included in the recreation open space acreage provided they include recreation amenities such as fishing/observation piers, boardwalks, canoe/kayak/boat launches, swimming or other water related amenities. Acreage for the structures ~~this spaces~~ shall be calculated at 3 times the area of the recreation amenity structure itself (ie: the footprint of a fishing/observation pier) but shall not include the acreage of the entire water body unless the water body is designed to allow swimming.

- I(2) The Developer or HOA shall be responsible for the maintenance of all recreation and open space areas within the project site not dedicated to the County.

O(2) Residential

- b. Residential development (Except for Parcel 35) shall comply with the following dimensional standards:

| Type | Minimum Lot size (sq. ft.) | Minimum Lot Width | Front Setback (ft.) | Side Setback | Rear Setback (ft.) |
|------------------------|----------------------------|--------------------|----------------------|-----------------------|--------------------|
| SFD ⁵ | 6,500 SF ² | 55 FT ² | 20/15 ^{1,7} | 7 ² | 15 |
| SFA ^{5, 8, 7} | 2,500/3,500 SF | 25/35 FT | 20/15 ^{1,7} | 0/10 ⁶ | 15 |
| SFSD ⁵ | 3,850 SF | 35 | 20/15 ^{1,7} | 0/7.5 | 15 |
| Duplex ⁵ | 7,800 SF | 70 | 20/15 ^{1,7} | 7.5 | 15 |
| Multi-fam ⁴ | | | 25 | 15/40/50 ³ | 15 |

¹Front setback for units with side entry garages

²A maximum of 30% of the lots in each phase* may be reduced to a minimum lot area of 4,000 square feet, lot width of 40 feet, and side yard setback of 6 feet. These smaller lots shall be contained within a parcel or subphase of a parcel that is separated

- from other single-family detached unit parcels by a minimum separation width of 25 feet, exclusive of lot areas.
- ³This distance is not a side yard setback, but the minimum distance between buildings. A 15' separation is required between one-story buildings, a 25' between two-story, 40' between 3-story, and 50' between 4-story buildings.
- ⁴Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.
- ⁵All duplexes and single-family residences shall be provided with a minimum of a one car garage for each dwelling unit.
- ⁶Applied to end units.
- ⁷The front yard setback in Parcel 35 shall be 25'. The front yard for residences with side loaded garages may be reduced to 20'.
- ⁸The lot width for SFA in Parcel 17 may be 20' with a minimum lot size of 2000'.

Dimensional Standards for Parcel 35

| Type | Minimum Lot size (Sq. Ft.) | Minimum Lot Width | Front Setback (ft.) | Side Setback (ft.) | Rear Setback (ft.) |
|------------------------|----------------------------|-------------------|---------------------|-----------------------|--------------------|
| SFD ⁴ | 6,500 SF ² | 52 FT | 20/15 ¹ | 5 | 15 |
| SFA ^{4, 8, 7} | 2,500/3,500 SF | 25/35 FT | 20/15 ¹ | 0/10 ^{8, 5} | 15 |
| SFSD ⁴ | 3,850 SF | 35 | 20/15 ¹ | 0/7.5 | 15 |
| Duplex ⁴ | 7,800 SF | 70 | 20/15 ¹ | 7.5 | 15 |
| Multi-fam ³ | | | 25 | 15/40/50 ² | 15 |

¹Front setback for units with side entry garages

²This distance is not a side yard setback, but the minimum distance between buildings. A 15' separation is required between one-story buildings, a 25' between two-story, 40' between 3-story and 50' between 4-story buildings.

³Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.

⁴All duplexes and single-family residences shall be provided with a minimum of a one car garage for each dwelling unit.

⁵Applied to end units.

- c. Residential development in each parcel shall maintain consistency in unit type and size, unless otherwise specified above in condition O.(2).b, footnote 2 or in Stipulation O(2).h.i, and j below, except for development on Parcel 35.

J. Parcel 35

1. Lots along ~~Upper Manatee River Road~~ and along the southern boundary of Parcel 35, within 1,200 feet of Upper Manatee River Road, shall be limited to single-family detached residences. The landscape buffer along the southern boundary shall be ~~30~~ 15 feet wide and shall be planted in accordance with LDC Section 701.3.B.c.ii. No planting shall be required in the 15' buffer adjacent to off-site conservation easements.
- ~~2. Prior to Final Site Plan approval, the applicant shall provide a noise mitigation plan to the staff for mitigation of noise from Port Harbour Parkway and Upper Manatee River Road. Such analysis shall demonstrate noise mitigation based on the projected 2025 traffic volumes. Staff approved noise mitigation measures shall be shown on the approved Final Site Plan and installed prior to the issuance of the first Final Plat in Parcel 35.~~
3. Parcel 35 is approved for residential dwelling units ranging from 735 to 1,400, subject to the cumulative development limitations of the DRI. Per the Amended and Restated LDA dated August 12, 2014, certain unused DRI entitlements from other portions of the project may be available for use on Parcel 35 over time, and compliance with such LDA provisions shall be required at the time of PSP or FSP approval, as applicable. Dwelling units may be converted to other uses pursuant to the Land Use Equivalency Matrix (Exhibit 17). Upon utilization of the Land Use Equivalency Matrix, the applicant shall provide a table on the FSP indicating the exchange of units or square footage and corresponding increase or decrease of total unit counts and square footage by land use type. Development minimums and maximums for Parcel 35 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 17 of this Development Order.
4. Group Care Facilities: The primary licensing agency for group care facilities (ALFs, Hospices, etc.) is the Agency for Health care Administration (AHCA), 2727 Mahan Dr, Tallahassee, FL

32308, (888) 419-3456. Their inspection and approval is required. As a part of the AHCA licensing process the Department of Health performs a health and sanitation inspection, and a food hygiene certification. All requirements of Chapter 64E-12 and 64E-11, Florida Administrative Code shall be met prior to approval and licensure. Prior to construction, plans of the facility and its operation shall be submitted to and by the Florida Department of Health – Manatee County. Plans may be submitted by the owner, prospective operator or their designated representative. All plans shall comply with the requirements of this chapter. Contact Barbara Will at (941) 714-7585 for plan review information.

5. Connection to the County wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the construction plans review process for the project.

SPECIFIC APPROVAL - ANALYSES, RECOMMENDATIONS, FINDINGS

1. Requests:

LDC Section 402.7.D.5 states: “Greenbelts. In order to promote and enhance the creation of unique neighborhood units, each distinct neighborhood shall be bordered by a continuous greenbelt buffer measuring fifteen (15) feet in width and containing one shade tree, meeting minimum planting size standards in Section 701, planted every thirty (30) feet on center. Greenbelts are to be so planned that where two (2) PDR districts abut one another, the greenbelt buffer areas are contiguous. Streets and utilities providing inter-neighborhood ties may be permitted to pass through greenbelt buffer areas.”

The applicant requests elimination of the required greenbelt buffer tree planting along the southern property boundary of Parcel 35, in areas that are adjacent to off-site conservation easements.

Staff Analyses and Recommendation

The off-site conservation areas to the south of the project area are forested wetlands and are thereby providing the canopy that would be provided by the trees required to be planted.

Environmental Staff supports the request for specific approval and recommends approval because the applicant has demonstrated how the project will meet or exceed the intent of this section as required by LDC Section 402.4.B. Staff recommends approval of this request.

Finding For Specific Approval:

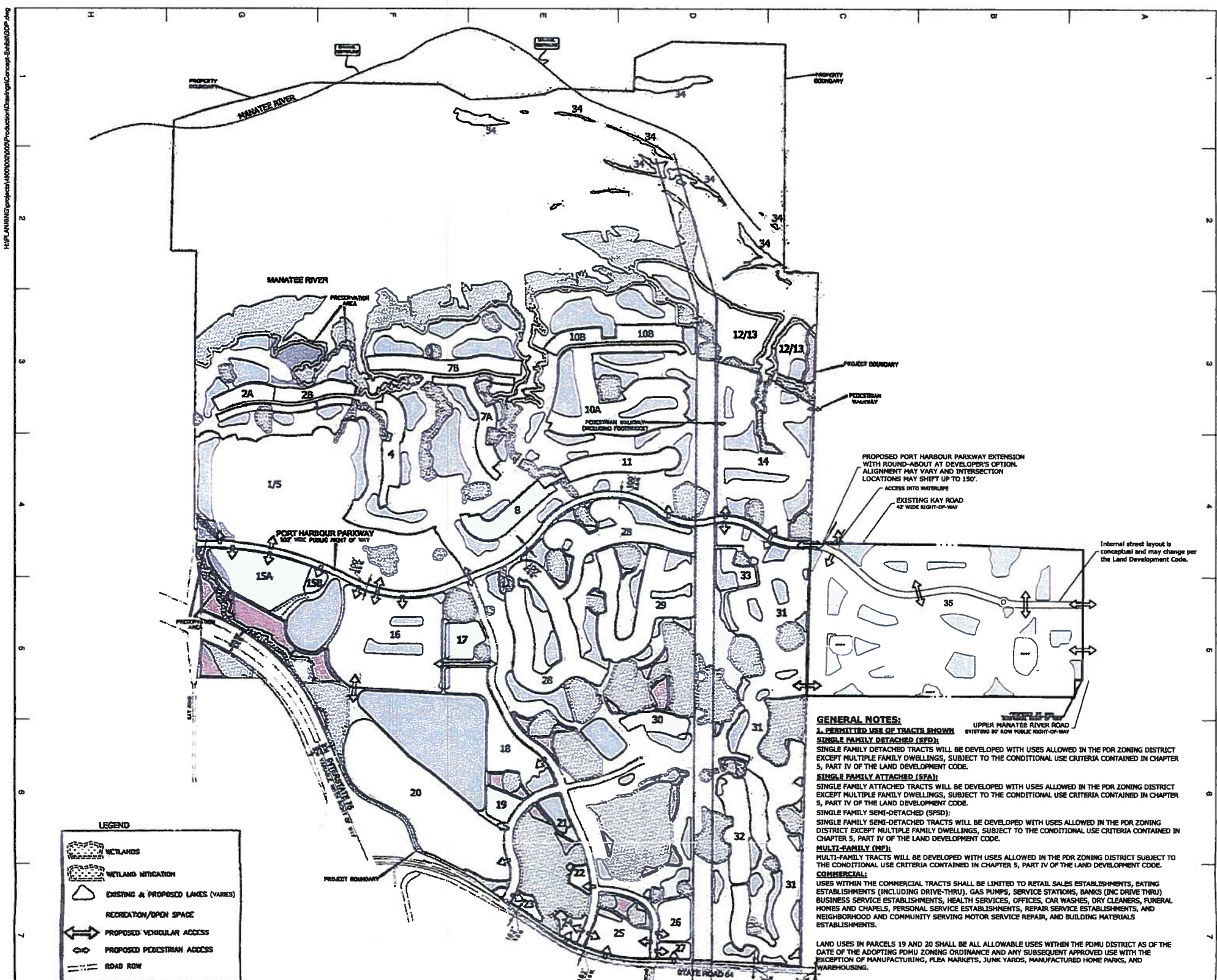
Notwithstanding the failure of this plan to comply with the requirements of LDC Section 402.7.D.5, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree because the off-site conservation easements are forested.

ATTACHMENTS:

1. Maps – Future Land Use, Zoning and Aerials
2. Revised GDP
3. Affidavit of Publishing
4. Specific Approval Request
5. Ordinance PDMU-99-02(G)(R7)

REC: 3/7/2016

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LAND USE SCHEDULE PROJECT WIDE

| CATEGORY | ACREAGE ¹ | PHASE I ² 2000-2017* | PHASE II ² 2004-2022* | TOTAL |
|--------------------------------------|----------------------|------------------------------------|-------------------------------------|---------------|
| Commercial | 164.3 | | | |
| Retail ³ | | 300,000 s.f. | 551,908 s.f. | 851,908 s.f. |
| Office ³ | | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel ³ | | 150 rooms | 300 rooms | |
| ACLF ³ | | 0 | 600 beds | 600 beds |
| Residential ⁴ | 1,302.3 | | | |
| Single family detached | | 1,290 units | 980 units | 2,270 units |
| Single family attached/semi-attached | | 500 units | 640 units | 1,140 units |
| Multi-family | | 760 units | 1,180 units** | 1,940 units** |
| Total Residential Units | | 2,550 units | 2,800 units | 5,350 units |
| Right of Way | 67.9 | | | |
| Open Space | 1,250.2 | | | |
| Golf Course | 230.0 | 36 holes | 9 holes | 45 holes |
| Park | 41.2 | | | |
| Wetlands, Lakes, Passive Recreation | 959.0 | | | |
| TOTAL | 2,784.7 | | | |

* November 21st of referenced year for Phase I and Phase II.
** This number includes 350 multi-family units approved through LUEM. Exhibits 15(A)-12-15, dated 11/6/12 which allows for conversion of units, but is not included in total of residential units. Total entitlements for residential units remain 5,000 units.
1. Acreage figures subject to adjustment due to final survey and platting, surveyed jurisdictional determinations, permit survey data, etc.
2. The Phase I and II buildout dates include the three year extension authorized pursuant to Paragraph 380.06(1)(c), Florida Statutes and legislatively authorized extensions pursuant to HB 7207 and F.S. 252.363.
3. Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.
4. Residential units may be exchanged among the types of approved units and uses per the Land Use Equivalency Matrix (LUEM) included as Exhibits 15 and 17.
5. Part of total project area of 2,784.7.
6. Development minimum and maximums for Parcel 25 shall be per the LUEM included as Exhibit 17.
7. Because mitigation has been completed for PH and PHIL, residential entitlements remaining at the end of PH, may be carried over to PHIL.

LAND USE TABLE

| PARCEL | LAND USE | DWELLING UNITS | SQUARE FOOTAGE |
|--------|---|----------------------|----------------------------|
| 1/5 | SFA, SFSO, SFD, MF | 778 | |
| 2A | SFA, SFSO, SFD, MF | 120 | |
| 2B | SFA, SFSO, SFD, MF | 72 | |
| 7A | SFA, SFSO, SFD, MF | 64 | |
| 4 | SFA, SFSO, SFD, MF | 112 | |
| 3 | SFA, SFSO, SFD, MF | 64 | |
| 7B | SFA, SFSO, SFD, MF | 204 | |
| 8 | SFA, SFSO, SFD, MF | 40 | |
| 10A | SFA, SFSO, SFD, MF | 179 | |
| 10B | SFA, SFSO, SFD, MF | 240 | |
| 11 | SFA, SFD, MF | 43 | |
| 12/13 | DOCKS, SFA, SFSO, SFD | 96 | 78 SLIPS |
| 14 | SFD | 190 | |
| 15A | SFA, SFSO, SFD, MF | 362 | |
| 15B | SFA, SFSO, SFD, MF | 72 | |
| 16 | SFA, SFSO, SFD, MF | 500 | |
| 17 | OFFICE / RESIDENTIAL / AC/LF / COMMERCIAL, SFA, SFSO, SFD, MF | 100 | (600 BEDS) 22,750 SF |
| 18 | PARK / COMMUNITY IDENTIFICATION FEATURE | -- | -- |
| (1) 19 | COMMERCIAL / OFFICE / RETAIL / HOTEL / MF | -- | 16,939 SF / 350 MF |
| (1) 20 | COMMERCIAL / OFFICE / RETAIL / HOTEL / MF | -- | 354,200 SF / 300 ROOMS (1) |
| 21 | COMMERCIAL / OFFICE / RETAIL / HOTEL / MF | -- | -- |
| 22 | PROFESSIONAL / OFFICE / INSTITUTIONAL | -- | 28,000 SF |
| 23 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 15,000 SF |
| 24 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 25,000 SF |
| 25 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 165,000 SF |
| (2) 26 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 75,250 SF |
| (2) 27 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 40,000 SF |
| 28 | SFA, SFSO, SFD | 226 | |
| 29 | SFA, SFSO, SFD | 193 | |
| 30 | SFA, SFSO, SFD | 19 | |
| 31 | SFA, SFSO, SFD | 353 | |
| 32 | SFA, SFSO, SFD, MF | 156 | |
| 33 | PARK | -- | -- |
| 34 | PASSIVE RECREATION | -- | -- |
| 35 | SFA, SFSO, SFD, GOLF | 735 - 1,400 PER LUEM | 45 HOLES |
| TOTAL | | 5,000 | 1,015,000 SF (1) |

NOTES:
(1) ALLOWABLE LAND USES AND SQUARE FOOTAGE CAN TRANSFER BETWEEN PARCELS 19 & 20 SUBJECT TO LAND USE EQUIVALENCY MATRIX FOR PARCELS 19 & 20
(2) ALLOWABLE COMMERCIAL SQUARE FOOTAGE CAN TRANSFER BETWEEN THESE TWO PARCELS 26 & 27
(3) ALLOWABLE USES CAN TRANSFER ON PARCEL 35 PER LUEM

General Notes:
(1) Includes Group Care Home, "Small and Large".
(2) Specialty Retail TFE Land Use Code is 88. Includes Neighborhood and General Retail Sales, Eating Establishment, Bank, Business Services, Professional Office, Clinic, Neighborhood Dry Cleaner, Day Care, Personal Service Establishment, School of Special Education, Pet Office, Private Community Use, Public Community Use, Medium Intensity Recreational Use.
(3) Convenience Market TFE Land Use Code is 88. Includes Convenience Retail.
General Note: All rates used are P.M. Peak Hour.

LAND USE EQUIVALENCY MATRIX (APPLICABLE ONLY TO PARCELS 19 AND 20)

| Change To | Hotel (1 Room) | Commercial/ Retail (1,000 SF) | Office (1,000 SF) | Multi-Family (DU) | Minimum | Maximum |
|------------------------------|----------------|-------------------------------|-------------------|-------------------|------------|---------|
| Change From | | | | | | |
| Hotel (1 Room) | 171.85 SF | 795.97 SF | 0.95 DUs | 80 rooms | 300 rooms | |
| Commercial/Retail (1,000 SF) | 5.43 Rooms | 2,308.25 SF | 5.55 DUs | 400,000 SF | 493,000 SF | |
| Office (1,000 SF) | 2.53 Rooms | 432.32 SF | 2.40 DUs | 100,000 SF | 100,000 SF | |
| Multi-Family (1 Unit) | 1.05 Rooms | 180.27 SF | 1.11 SF | 0 DU | 329 DU | |

Notes:
(1) Hotel Room equivalent to 171.85 SF of Commercial/Retail or 394.97 SF of Office or 0.95 DUs of Multi-Family.
(2) 1,000 SF of Office equivalent to 2.53 Hotel Rooms or 432.32 SF of Commercial/Retail or 2.40 DUs of Multi-Family.
(3) 1 DU of Multi-Family equivalent to 1.05 Hotel Rooms or 180.27 SF of Commercial/Retail or 1.11 SF of Office.
(4) Any land use exchange will not exceed the total development thresholds set forth in PL 380.06(1)(b).
THIS LAND USE MATRIX EQUIVALENCY MATRIX APPLIES ONLY TO PARCELS 19 AND 20. ANY CONVERSIONS NECESSARY TO THIS MATRIX MAY ONLY BE UTILIZED BY THE OWNERS OF PARCELS 19 AND 20 AND MAY ONLY AFFECT LAND USE APPROVALS FOR PARCELS 19 AND 20.

LAND USE EQUIVALENCY MATRIX (APPLICABLE ONLY TO PARCELS 19 AND 20)

| Change To | Single Family Detached | Single Family Attached | Multi-Family | Minimum | Maximum |
|---------------------------------|------------------------|------------------------|--------------|---------|---------|
| Change From | | | | | |
| Single Family Detached (1 Unit) | | 1.07 Units | 1.28 Units | 1,616 | 2,724 |
| Single Family Attached (1 Unit) | 0.51 Unit | | 0.70 Unit | 912 | 1,566 |
| Multi-Family (1 Unit) | 0.73 Unit | 1.41 Units | | 1,272 | 1,908 |

Notes:
(1) The above unit type exchange rates are based on the gross plot generation numbers as determined using the most recently approved Traffic Impact Statement for the Project (dated December 2005). Pursuant to such study, each Single Family Detached Unit generates 0.77 gross PM peak hour trip; each Single Family Attached Unit generates 0.39 gross PM peak hour trip; and each Multi-Family Unit generates 0.65 gross PM peak hour trip. Such generation rates are specific to this Project and are not generally applicable.
(2) Example: Upon surrendering 1 Single Family Detached Unit, the Developer would be able to add up to 1.07 Single Family Attached Units, 1.28 Multi-Family Units, or a pro rata combination thereof.

General Notes:
(1) The above unit type exchange rates are based on the gross plot generation numbers as determined using the most recently approved Traffic Impact Statement for the Project (dated December 2005). Pursuant to such study, each Single Family Detached Unit generates 0.77 gross PM peak hour trip; each Single Family Attached Unit generates 0.39 gross PM peak hour trip; and each Multi-Family Unit generates 0.65 gross PM peak hour trip. Such generation rates are specific to this Project and are not generally applicable.
(2) Example: Upon surrendering 1 Single Family Detached Unit, the Developer would be able to add up to 1.07 Single Family Attached Units, 1.28 Multi-Family Units, or a pro rata combination thereof.

2. MINIMUM LOT SIZE SETBACKS

| USES | MAXIMUM HEIGHT / STORIES | LOT WIDTH | FRONT SETBACK | SIDE SETBACK | REAR SETBACK | MINIMUM LOT SIZE |
|--|--------------------------|-----------|---------------|--------------|--------------|------------------|
| SINGLE-FAMILY DETACHED | 35' | 18/75' | 20/15' | 0/15' | 15' | 6,000 SF |
| SINGLE-FAMILY ATTACHED | 35' | 20/15' | 20/15' | 0/15' | 15' | 2,500/3,000 SF |
| SINGLE-FAMILY SEMI-DETACHED | 35' | 20/15' | 20/15' | 0/15' | 15' | 2,500/3,000 SF |
| 1 LOT - 2 UNITS | 35' | 20/15' | 20/15' | 0/15' | 15' | 2,500/3,000 SF |
| 1 LOT - 2 UNITS (DUPLICATE) | 35' | 20/15' | 20/15' | 0/15' | 15' | 2,500/3,000 SF |
| MULTI-FAMILY (CONDO/RESIDENTIAL) | 4 STORIES | 25' | 25' | 15' | 15' | 6,000 SF |
| RETAIL | 35' | 40' | 20' | 20' | 20' | 7,500 SF |
| OFFICE / HOTEL / GROUP CARE HOME (LARGE) | 4 STORIES | 40' | 20' | 20' | 20' | 7,500 SF |
| SCHOOL, PUBLIC RECREATION CENTER | 35' | 25' | 25' | 20' | 20' | |

A. MINIMUM LOT WIDTH IS MEASURED AT SETBACK LINE.
B. APPLIES TO ONE SIDE OF END UNITS.
C. FRONT SETBACK FOR UNITS WITH SIDE ENTRY GARAGES.
D. MINIMUM WIDTH AND SIZE FOR EXTERIOR UNIT (LOT).
E. FRONT SETBACKS ARE FROM PUBLIC AND PRIVATE RIGHTS-OF-WAY.
F. SINGLE AND TWO-STORY MULTIFAMILY BUILDINGS SHALL MAINTAIN A MINIMUM SETBACK OF 50 FEET FROM SINGLE FAMILY RESIDENTIAL DEVELOPMENT PARCELS.
G. THE COMMUNITY IDENTIFICATION STRUCTURE (LIGHTHOUSE), LOCATED IN PARCEL 19, SHALL NOT EXCEED 55' IN HEIGHT.
H. DUPLEXES SHALL BE PROVIDED WITH A MINIMUM OF A ONE CAR GARAGE FOR EACH DWELLING UNIT.
I. A MAXIMUM OF 30% OF THE LOTS IN EACH PHASE MAY BE REDUCED TO A MINIMUM LOT AREA OF 4,000 SF, LOT WIDTH OF 40 FEET, AND A SIDE YARD SETBACK OF 6 FEET. THESE SMALLER LOTS SHALL BE CONTAINED WITHIN A PARCEL OR SUBPHASE OF A PARCEL THAT IS SEPARATED FROM OTHER SINGLE FAMILY DETACHED UNIT PARCELS BY A MINIMUM SEPARATION WIDTH OF 25 FEET, EXCLUSIVE OF LOT AREAS.
3. MULTI-FAMILY SEPARATION
MULTI-FAMILY BUILDINGS SHALL BE SEPARATED BY A MINIMUM DISTANCE OF:
1-STORY UNITS - 15 FEET
2-STORY UNITS - 25 FEET
3-STORY UNITS - 40 FEET
4-STORY UNITS - 50 FEET
4. MULTI-FAMILY RESTRICTIONS
MULTI-FAMILY DEVELOPMENT IN PARCEL 12/13 SHALL BE RESTRICTED TO 4 UNITS PER BUILDING AND A MAXIMUM HEIGHT OF 2 STORIES. SEPARATION BETWEEN BUILDINGS SHALL BE 25 FEET FOR THE FIRST FLOORS AND 40 FEET FOR THE SECOND FLOORS. EXCEPTIONS MAY INCLUDE ROOM PROJECTIONS AND BAY WINDOWS NOT EXCEEDING A DEPTH OF 5 FEET.
5. BUFFERING AND SCREENING:
BUFFERING AND SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 715 AND 737 OF THE LAND DEVELOPMENT CODE. ALL LANDSCAPED BUFFERS WILL BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM AND MAINTAINED BY THE OWNER, THE COMMUNITY DEVELOPMENT DISTRICT, OR THE APPROPRIATE HOMEOWNER ASSOCIATION.
6. PARKING:
PARKING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 710 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.
7. PROJECT ACCESS:
THE ALIGNMENT OF ALL INTERNAL ROADWAYS AND THE LOCATION OF ALL PROJECT ACCESS POINTS ARE APPROXIMATE. EXACT ALIGNMENTS ARE SUBJECT TO CHANGE PURSUANT TO REVIEW BY MANATEE COUNTY DURING THE SITE PLAN/SUBDIVISION REVIEW PROCESS.
8. DRAINAGE:
LOCATION AND SIZE OF STORMWATER MANAGEMENT FACILITIES SHOWN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT AT THE FINAL SITE PLAN PHASE.
9. WATER AND WASTE WATER:
WATER, WATER REUSE, AND WASTEWATER SERVICE WILL BE PROVIDED BY MANATEE COUNTY.
10. DEVELOPMENT MIX:
TRADE-OFFS IN TYPES AND INTENSITIES/DENSITIES OF APPROVED LAND USES MAY BE MADE AS PERMITTED IN THE DEVELOPMENT ORDER AND ZONING ORDINANCE.
11. WETLANDS:
PARCELS 35 WETLANDS ARE PER A DUCHART LAND SURVEYING INC. ALL OTHER ACREAGE AND LOCATION OF ENVIRONMENTAL AREAS ARE APPROXIMATE.
12. SURVEYS:
INDIVIDUAL PARCELS AND OTHER USES HAVE NOT BEEN SURVEYED AND ACREAGE'S SHOWN ARE APPROXIMATE. PARCELS ARE SUBJECT TO FUTURE SUBDIVISION IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE.
13. GOLF COURSE:
GOLF COURSE LOCATIONS ARE CONCEPTUAL ONLY AND SUBJECT TO FINAL DESIGN.
14. FLOODPLAIN:
DEVELOPMENT WITHIN THE ONE HUNDRED (100) YEAR FLOODPLAIN SHALL BE IN ACCORDANCE WITH THE COUNTY'S FLOODPLAIN MANAGEMENT PERMIT PROCEDURES.

FOR PARCELS 19 AND 20 PARKING REQUIREMENTS SHALL BE CALCULATED AS FOUR (4) PARKING SPACES PER 1,000 SF OF COMMERCIAL SPACE. A 10% REDUCTION IN PARKING COUNT WILL BE ALLOWED FOR PARKING LOTS HAVING MORE THAN 40 SPACES. IN ADDITION, PARKING LOT ISLANDS CAN BE CLUSTERED INTO FEWER ISLANDS, HAVING THE SAME AREA AS REQUIRED BY CODE PRIOR TO CLUSTERING, FOR IMPROVED TREE SURVIVAL AND IMPROVED BUILDING VISIBILITY.
INSTITUTIONAL:
INSTITUTIONAL USES ARE THOSE OF A PUBLIC OR SEMI-PUBLIC NATURE, SUCH AS SCHOOLS, CHURCHES, LIBRARIES AND OTHER COMMUNITY FACILITIES. USES NOT PERMITTED WOULD BE THOSE EXCLUDED IN THE COMMERCIAL TRACTS ABOVE.
DOCKS:
USES SHALL INCLUDE SINGLE FAMILY AND MULTI-FAMILY RESIDENTIAL DOCKS AND ANCILLARY USES FOR THE DOCKAGE OF WATERCRAFT IN WET SLIPS. THE PARCEL MAY INCLUDE A PRIVATE BOAT RAMP FOR LAUNCHING BOATS AS WELL AS RECREATIONAL USE PIER. A MAXIMUM OF 78 SLIPS AND ONE BOAT RAMP ARE PROPOSED.
OTHER PERMITTED USES:
HOSPITALS, NURSING HOMES AND GROUP CARE HOMES (LARGE), ARE PERMITTED USES WITHIN COMMERCIAL TRACTS IN AREAS DESIGNATED ON THE FUTURE LAND USE MAP AS MIXED USE (MU). INTERM USE OF THE SITE FOR AGRICULTURAL PURPOSES SHALL BE PERMITTED.

1 OF 1

JOB NO. 1008-01
DATE: 02/28/16
SCALE: AS SHOWN

HERITAGE HARBOUR
MANATEE LAND INVESTORS, LLC &
UPPER MANATEE 288, LLC
MANATEE COUNTY, FLORIDA
GENERAL DEVELOPMENT PLAN

NO. DATE REVISION BY

King
ENGINEERING ASSOCIATES, INC.
4921 Memorial Highway, One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881, Fax: (813) 880-8882
www.kingengineering.com
Engineering License #2610

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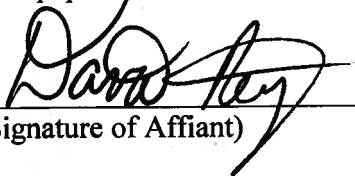
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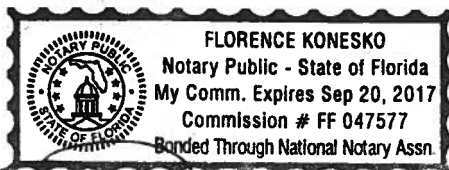
STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Dava Reyes, 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 Zoning**, was published in said newspaper in the issue(s) of **03/30/2016**.

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
30 Day of March, 2016



SEAL & Notary Public

Personally Known OR Produced Identification
Type of Identification Produced

NOTICE OF ZONING AND DEVELOPMENT OF REGIONAL IMPACT CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 14, 2016 at 9:00 a.m. at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida** to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matters:

PDMU-15-23(Z)(G) - LAKEWOOD RANCH COMMERCIAL PARK, LLC / LAKEWOOD RANCH BUSINESS PARK - DTS 20150394, MEPS#505

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 15-17 as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 111.14 acres of land on the northwest quadrant of 44th Avenue East and Lakewood Ranch Boulevard, (Manatee County), from PDI (Planned Development Industrial) to the PDMU (Planned Development Mixed Use) zoning district; approving a General Development Plan for 08, non-residential mixed use lots; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 16-16 (I & R 15-27) - HERITAGE HARBOUR DRI #24

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Heritage Harbour Development of Regional Impact (Ordinance 14-37); to approve the following changes to the Master Development Plan (Map H) and the Ordinance:

- 1) Add a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35;
- 2) Add Multi-family, Commercial and Assisted Living Facility (ALF) as potential uses on Parcel 35 (without increasing DRI entitlements as entitlements may be attained through LUEM);
- 3) Realign Port Harbour Parkway Extension through Parcel 35 to Upper Manatee River Road and corresponding "update of notes";
- 4) Specify the amount and types of development that may be authorized on Parcel 35;
- 5) Update Wetland Information shown on Map H and Modify provisions related to wetland buffers and impacts for parcel 35;

Other minor updates, previously granted legislative extensions, terminology changes, and revisions to reflect consistency with prior approved changes and/or the LDA; Providing for development approval, conditions, and obligations; providing for severability; and providing an effective date.

The Heritage Harbour DRI is generally located at the intersection of I-75 and SR 64, south of the Manatee River, and west of Upper Manatee River Road, approximately one mile north of S.R. 64 (2,784.7± acres) (Manatee County). Present zoning is PDMU/WP-E/ST.

The Heritage Harbour DRI is approved in two phases for 788,837 square feet of commercial retail space, 170,000 square feet of office space, 300 hotel rooms, 600 beds for ACLF, 5,000 residential units (multi-family/single-family attached, single-family detached, single-family semi-detached), 45-Hole Golf Course and 41.2 Acre Park.

PDMU-98-08(G)(R-7) - HERITAGE HARBOUR (F.K.A. HERITAGE SOUND) - DTS20150773, MEPS#435

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending, consolidating and restating Ordinance PDMU-98-08(G)(R6), to amend the General Development Plan to:

- 1) Add a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35;
- 2) Add Commercial, Retail, Multi-family and Assisted Living Facility (ALF) as potential uses on Parcel 35 (without increasing DRI entitlements);
- 3) Show a numerical range of dwelling units for Parcel 35;
- 4) Realign Port Harbour Parkway extension through Parcel 35 to Upper Manatee River Road and corresponding "update of notes";
- 5) Specify the amount and types of development that may be authorized on Parcel 35, including recreational and open space requirements;
- 6) Provide flexibility in the separation between multi-family buildings and single-family development parcels;
- 7) Change the front yard setback for Parcel 35 from 25'/20' to 20'/15' in order to be consistent with residential development in the project;
- 8) Remove the requirement for a 30' buffer along the southern boundary of Parcel 35;
- 9) Remove the requirement for a noise mitigation study for parcel 35;
- 10) Update wetland information shown on GDP and modify provisions related to wetland buffers and impacts for Parcel 35; and
- 11) Other minor updates, terminology change, and corrections to reflect previously approved changes and to provide consistency with other approved documents; subject to stipulations as conditions of approval; providing a legal description; providing for severability and an effective date.

The Heritage Harbour DRI is generally located at the intersection of I-75 and SR 64, south of the Manatee River, and west of Upper Manatee River Road (2,784.7± acres) approximately one mile north of S.R. 64, (Manatee County). Present zoning is PDMUAWP-E/ST.

PDR-04-39(G)(R2) - THE CONCESSION GOLF CLUB HELISTOP - DTS# 20150075 MEPS #222

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a revised Zoning Ordinance and General Development Plan to: a) designate Tract 801 (owned by The Concessions) as recreation; and b) allow a private helistop as an accessory use to serve the golf course use, and delete stipulation #30 which prohibits a helipad at the golf course property (506.35± acres). The private helistop is approximately 100 feet northeast of the existing clubhouse in the PDR/WP-E/ST (Planned Development Residential/Evers Reservoir Watershed Protection/Special Treatment) zoning district. The Concession Golf Club is on the south side of S.R. 70, east of Lorraine Road and west of Panther Ridge Subdivision, which is commonly known as 7700 Lindrick Lane, Bradenton (Manatee County); subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

ORD-16-25 - GATEWAY NORTH DRI #21 (AKA: ARTISAN LAKES)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, rendering an amended and restated Development Order pursuant to Chapter 380, Florida Statutes, for the Gateway North Development of Regional Impact (Ordinance 10-44) (Manatee County DRI #21); A/K/A Tampa Bay Regional Planning Council (TBRPC) DRI #218; approving a Notice of Proposed Change (NOPC) to reflect previously granted legislative extensions, and provide an updated proportionate share calculation for Phase 1; make the necessary amendments to Map H and the Development Order to reflect these changes and any other revisions deemed necessary or appropriate during the public hearing process; providing for severability; and providing for an effective date.

The Gateway North DRI is northwest of the intersection I-75 and Moccasin Wallow Road, (Manatee County). The present zoning is PDMU (Planned Development Mixed Use) (1,039.2 ± acres).

PDMU-91-01(G)(R6) - GATEWAY NORTH (AKA: ARTISAN LAKES) - DTS20140043

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending and restating Ordinance PDMU-91-01(G)(R5) to amend the General Development Plan to provide an updated proportionate share calculation for Phase 1; reflect previously granted legislative extensions; modify conditions to reflect new standard language and delete language no longer applicable; and any other revisions deemed necessary or appropriate during the public hearing process; subject to stipulations as conditions of approval; providing for severability, and providing an effective date.

Gateway North is northwest of the intersection of I-75 and Moccasin Wallow Road, (Manatee County). Present zoning is PDMU (Planned Development Mixed Use) (1,039.2± acres).

PDMU-16-14(Z)(P) - 301 OXFORD LLP / 301 OXFORD - DTS20150287

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 19.49 acres at the southwest corner of U.S. 301 and Oxford Road, east of Chin Road, and commonly known as 5111 Oxford Road, Parrish (Manatee County) from PDC/NCO (Planned Development Commercial/North Central

Overlay) to the PDMU/NCO (Planned Development Mixed Use/North Central Overlay) zoning district, retaining the North Central Overlay; approving a Preliminary Site Plan for 22,500 square feet of office, commercial, and retail uses and 168 multi-family residential uses; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to planning.agenda@mymanatee.org.

ording to Section 208.01(1), da Statutes, if a person des to appeal any decision le with respect to any mat- considered at such meet- or hearings, he or she will a record of the proceed- and for such purpose, he he may need to ensure that batim record of the pro- ings is made, which record d include any testimony or nce upon which the al is to be based.

Persons with Disabilities:

ard of County issioners of Manatee y does not discriminate the basis of any individ- lisability status. This non- mination policy involves aspect of the Board's ons including one's s to and participation in hearings. Anyone requir- asonable accommodation s meeting as provided fo ADA, should contact e Ellis at 742-5800; TDD 742-5802 and wait 60 ds, or FAX 745-3790.

HEARING MAY BE CON- ED FROM TIME TO TIME ING ADJOURNMENTS. TEE COUNTY PLANNING MISSION itee County Building Development Services rtment itee County, Florida 0/16

AFFIDAVIT OF PUBLICATION

SARASOTA HERALD-TRIBUNE
PUBLISHED DAILY
SARASOTA, SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED SHARI BRICKLEY, WHO ON OATH SAID SHE IS DIRECTOR OF ADVERTISING FOR THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN MANATEE COUNTTEE DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT BEING A NOTICE IN THE MATTER OF:

Legal description documented below:

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

3/30 1x

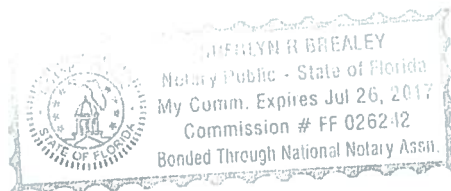
AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE 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



SWORN OR AFFIRMED TO, AND SUBSCRIBED BEFORE ME THIS 30 DAY OF March, A.D., 2016
BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.

Notary Public



NOTICE OF ZONING AND DEVELOPMENT OF REGIONAL IMPACT CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, April 14, 2016 at 9:00 a.m. at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matters:

PDMU-15-23(Z)(G) – LAKEWOOD RANCH COMMERCE PARK, LLC / LAKEWOOD RANCH BUSINESS PARK - DTS 20150394, MEPS505

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ORDINANCE 16-16 (f.k.a 15-27) – HERITAGE HARBOUR DRI #24

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Heritage Harbour Development of Regional Impact (Ordinance 14-37); to approve the following changes to the Master Development Plan (Map H) and the Ordinance:

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PDMU-98-08(G)(R-7) – HERITAGE HARBOUR (F.K.A. HERITAGE SOUND) - DTS20150173, MEPS435

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending, consolidating, and restating Ordinance PDMU-98-08(G)(R6), to amend the General Development Plan to: 1) Add a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35; 2) Add Commercial, Retail, Multi-family and Assisted Living Facility (ALF) as potential uses on Parcel 35 (without increasing DRI entitlements); 3) Show a numerical range of dwelling units for Parcel 35; 4) Realign Port Harbour Parkway extension through Parcel 35 to Upper Manatee River Road and corresponding "update of notes"; 5) Specify the amount and types of development that may be authorized on Parcel 35, including recreational and open space requirements; 6) Provide flexibility in the separation between multi-family buildings and single-family development parcels; 7) Change the front yard setback for Parcel 35 from 25'/20' to 20'/15' in order to be consistent with residential development in the project; 8) Remove the requirement for a 30' buffer along the southern boundary of Parcel 35; 9) Remove the requirement for a noise mitigation study for parcel 35; 10) Update wetland information shown on GDP and modify provisions related to wetland buffers and impacts for Parcel 35; and 11) Other minor updates, terminology change, and corrections to reflect previously approved changes and to provide consistency with other approved documents; subject to stipulations as conditions of approval; providing a legal description; providing for severability and an effective date.

The Heritage Harbour DRI is generally located at the intersection of I-75 and SR 64, south of the Manatee River, and west of Upper Manatee River Road (2,784.7± acres) approximately one mile north of S.R. 64, (Manatee County). Present zoning is PDMU/WP-E/ST.

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The Gateway North DRI is northwest of the intersection of I-75 and Moccasin Wallow Road, (Manatee County). The present zoning is PDMU (Planned Development Mixed Use) (1,039.2 ± acres).

PDMU-91-01(G)(R6) – GATEWAY NORTH (AKA: ARTISAN LAKES) - DTS20140043

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending and restating Ordinance PDMU-91-01(G)(R5) to amend the General Development Plan to provide an updated proportionate share calculation for Phase 1; reflect previously granted legislative extensions; modify conditions to reflect new standard language and delete language no longer applicable; and any other revisions deemed necessary or appropriate during the public hearing process; subject to stipulations as conditions of approval; providing for severability, and providing an effective date.

Gateway North is northwest of the intersection of I-75 and Moccasin Wallow Road, (Manatee County). Present zoning is PDMU (Planned Development Mixed Use) (1,039.2± acres).

PDMU-15-14(Z)(P) – 301 OXFORD LLP / 301 OXFORD - DTS20150267

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 19.49 acres at the southwest corner of U.S. 301 and Oxford Road, east of Chin Road, and commonly known as 5111 Oxford Road, Parrish (Manatee County) from PDC/NCO (Planned Development Commercial/North Central Overlay) to the PDMU/NCO (Planned Development Mixed Use/North Central Overlay) zoning district, retaining the North Central Overlay; approving a Preliminary Site Plan for 22,500 square feet of office, commercial, and retail uses and 168 multi-family residential uses; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to planning.agenda@mymanatee.org.

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 or she will need a record of the proceedings, and for such purpose, he or 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.

Americans with Disabilities: The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board'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 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.
MANATEE COUNTY PLANNING
COMMISSION
Manatee County Building and
Development Services Department
Manatee County, Florida

Date of pub: March 30, 2016

**AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND
NOTIFICATION BY U.S. MAIL TO CONTIGUOUS PROPERTY OWNERS**

STATE OF

COUNTY OF

BEFORE ME, the undersigned authority, personally appeared Misty Servia, who, after having first been duly sworn and put upon oath, says as follows:

1. That he/she is the agent (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Ordinance 16-16 (fka 15-27) – Heritage Harbour DRI#24 / PDMU-98-08(G)(R7) – Heritage Harbour (F.K.A. Heritage Sound) – DTS20150173 – MEPS435 be heard before the Manatee County Planning Commission at a public hearing to be held on April 14, 2016 and to be heard before the Manatee County Board of County Commissioners at a public hearing to be held on May 5, 2016 and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein, and they are true to the best of his/her knowledge, information, and belief.

2. That the Affiant has caused the required public notice sign to be posted pursuant to Manatee County Ordinance No. 90-01, on the property identified in the application, and the sign(s) was conspicuously posted 2 feet from the front property line on the 31st day of March, 2016.

3. That the Affiant has caused the mailing of the required letter of notification to property owners within five hundred (500) feet of the project boundary pursuant to Manatee County Ordinance No. 90-01, as amended, by U.S. Mail, on the 30th day of March, 2016, and attaches hereto, as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice.

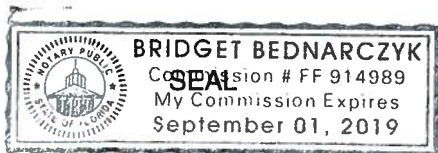
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01, as it relates to the required public notice, may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.



Property Owner/Agent Signature

SIGNED AND SWORN TO before me on 1st April, 2016 (date) by Misty Servia
(name of affiant). He/she is personally known to me or has produced _____ (type
of identification) as identification and who did take an oath.



Bridget Bednarczyk

Signature of Person Taking Acknowledgment

Bridget Bednarczyk

Type Name

Administrative Assistant, King Engineering

Title or Rank

My Commission Expires: September 1, 2019

Commission No.: FF 914989

Serial Number, if any

Parcel Owners within a 500 ft. Radius. 3/16/2016

| OWNER | SECONDARY_OWNER | OWN_ADDR | OWN_ADDR2 | CITY | ST | ZIP | CNTRY | CNT_ZIP | PARCEL_ID | LOCATION_ADD | UNIT |
|------------------------------|---------------------|-------------------------------|----------------|----------------|----|-------|--------|---------|------------|-------------------------------|------|
| 2014-1 IH BORROWER LP | | 901 MAIN ST 4700 | | DALLAS | TX | 75202 | | | 1102047859 | 9040 WILLOWBROOK CIR | |
| 3284708 NOVA SCOTIA LIMITED | | PO BOX 342 | BROOKFIELD NS | | | | CANADA | B0N 1C0 | 1102057259 | 9206 WINTER HARBOUR WAY | |
| 656495 N B LTD | | 47 GREENWICH DR | MONCTON NB | | | | CANADA | E1A 7A9 | 546030259 | 9833 PORTSIDE TER | |
| 9059 WILLOW BROOK LAND TRUST | | 11523 PALM BRUSH TRL 303 | | BRADENTON | FL | 34202 | | | 1102049659 | 9059 WILLOWBROOK CIR | |
| ADAMS,EDWARD V | ADAMS,ANNIE M | 9807 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030459 | 9807 PORTSIDE TER | |
| ADAMS,KEN | ADAMS,PATRICIA | 16 OTTER LN | | EGG HARBOR TWP | NJ | 8234 | | | 546032859 | 10018 DAY LILY CT | |
| AL-SUFFI,AMER TAJ | AL-SUFFI,KIMBERLY M | 10610 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022109 | 10610 RESTORATION TER | |
| APATOW,NANCY | | 11014 2ND AVE E | | BRADENTON | FL | 34212 | | | 564605608 | 11014 2ND AVE E | |
| ARDER,RONALD W | | 9810 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032359 | 9810 PORTSIDE TER | |
| ARNSPERGER,CHARLES BRADY | | 515 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021959 | 515 SAND CRANE CT | |
| AYOUB,NORMAN | AYOUB,FRANCINE | 51 WITHERSPOON CR | KANATA,ONTARIO | | | | CANADA | K2K 3L7 | 546030409 | 9811 PORTSIDE TER | |
| BAKER,RODNEY A | | 9006 KINGSBURY PL | | BRADENTON | FL | 34212 | | | 1102046309 | 9006 KINGSBURY PL | |
| BALLARD,DAVE F | | 257 UPPER MANATEE RIVER RD NE | | BRADENTON | FL | 34212 | | | 547600159 | 257 UPPER MANATEE RIVER RD NE | |
| BAUER,MICHAEL P | TERZO,RICHARD E | 920 KENNILWORTH AVE | | PALATINE | IL | 60067 | | | 1102049509 | 9043 WILLOWBROOK CIR | |
| BECHER,KARL J SR | BECHER,CAROL A | 9720 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032159 | 9720 PORTSIDE TER | |
| BILOTTI,ALFRED A | BILOTTI,AUDREY L | 9707 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030759 | 9707 PORTSIDE TER | |
| BLUNDON,ANDREW | BLUNDON,JOSEPH | 147 CARLISLE DR | PARADISE NL | | | | CANADA | A1L0V4 | 1102057359 | 9203 WINTER HARBOUR WAY | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

| | | | | | | | | | | | |
|----------------------|-------------------------|-------------------------------|--|----------------|----|-------|--|--|------------|-------------------------------|--|
| BOLTER,GUY M | BOLTER,ELLEN J | 406 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021509 | 406 SAND CRANE CT | |
| BORRELLI,LOUIS | | 9055 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102049609 | 9055 WILLOWBROOK CIR | |
| BOSCH,SCOTT | BOSCH,MARI | 7024 CHATUM LIGHT RUN | | BRADENTON | FL | 34212 | | | 1102045909 | 9110 BROOKFIELD TER | |
| BREITENSTEIN,MICHAEL | BREITENSTEIN,KEITH ALAN | 11011 E 2ND AVE | | BRADENTON | FL | 34212 | | | 564607950 | 11011 2ND AVE E | |
| BROCHU,ROBERT W | BROCHU,NANCY R | 505 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021859 | 505 SAND CRANE CT | |
| BRONKEMA,WAYNE R | BRONKEMA,RONDA Y | 303 UPPER MANATEE RIVER RD NE | | BRADENTON | FL | 34212 | | | 549600005 | 303 UPPER MANATEE RIVER RD NE | |
| BRONKEMA,WILLIAM R | BRONKEMA,LINDA L | 407 UPPER MANATEE RIVER RD NE | | BRADENTON | FL | 34212 | | | 549610103 | 407 UPPER MANATEE RIVER RD NE | |
| BUCK,HETTIE J | | 13 HEATHERWOOD DR | | MOULTONBOROUGH | NH | 3254 | | | 546031009 | 9605 PORTSIDE TER | |
| BURK,PETER C | BURK,KAREN M | 10619 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022659 | 10619 RESTORATION TER | |
| BURNER,RICHARD W | BURNER,SHERLYN E | 501 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021809 | 501 SAND CRANE CT | |
| BYRNE,THOMAS J | BYRNE,CAROLANN D | 10618 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022209 | 10618 RESTORATION TER | |
| CAFIERO,KENNETH J | CAFIERO,KATHLEEN | 10418 OLD GROVE CIR | | BRADENTON | FL | 34212 | | | 566829559 | 10418 OLD GROVE CIR | |
| CALLAHAN,GERALYN | | 11 SARA LN | | MIDDLE ISLAND | NY | 11953 | | | 1102049209 | 9007 WILLOWBROOK CIR | |
| CAPELLO,PAUL A | CAPELLO,CYNTHIA A | 9114 BROOKFIELD TER | | BRADENTON | FL | 34212 | | | 1102045959 | 9114 BROOKFIELD TER | |
| CAREY,JOANNE R | CAREY,JAMES F | 9819 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030309 | 9819 PORTSIDE TER | |
| CARKONEN,DENNIS J | | PO BOX 113 | | HANSVILLE | WA | 98340 | | | 546030509 | 9803 PORTSIDE TER | |
| CARTER,ANTHONY C | CARTER,PAULA M | 510 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021259 | 510 SAND CRANE CT | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

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| CASTLE, RONALD M | CASTLE, ROBIN A | 10629 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022559 | 10629 RESTORATION TER | |
| CELAYA, A DANIEL | CELAYA, VICTORIA | 9008 BROOKFIELD TER | | BRADENTON | FL | 34212 | | | 1102045759 | 9008 BROOKFIELD TER | |
| CERDENIO, LIEL MARVYN | SANTIAGO, MARISELA | 9016 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102047559 | 9016 WILLOWBROOK CIR | |
| CLARKIN, JANELLE C | CLARKIN, CHRISTOPHER J | 9020 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102047609 | 9020 WILLOWBROOK CIR | |
| COLEMAN, ROBERT R | COLEMAN, LINDA S | 9724 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032209 | 9724 PORTSIDE TER | |
| COLFIN AI-FL 2 LLC | | 9305 E VIA DE VENTURA 201 | | SCOTTSDALE | AZ | 85258 | | | 1102048119 | 9056 WILLOWBROOK CIR | |
| COLLINS, H | | 7322 MANATEE AVE W S255 | | BRADENTON | FL | 34209 | | | 554510559 | UPPER MANATEE RIVER RD NE | |
| COLLINS, H | | 7322 MANATEE AVE W 255 | | BRADENTON | FL | 34209 | | | 554510659 | UPPER MANATEE RIVER RD NE | |
| COLWELL, RICHARD L LIVING TRUST | | 10009 DAY LILY CT | | BRADENTON | FL | 34212 | | | 546033459 | 10009 DAY LILY CT | |
| COSTELLO, JOHN | COSTELLO, SANDRA | 9822 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032509 | 9822 PORTSIDE TER | |
| CRAFT, JAMES E | CRAFT, PEGGY A | 9004 BROOKFIELD TER | | BRADENTON | FL | 34212 | | | 1102045709 | 9004 BROOKFIELD TER | |
| CREEL, RICHARD | CREEL, DONNA B | 414 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021409 | 414 SAND CRANE CT | |
| CREPEAU, FRANCIS R | CREPEAU, BARBARA A | 410 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021459 | 410 SAND CRANE CT | |
| CROSBY, NORMA J | | 11023 2ND AVE E | | BRADENTON | FL | 34212 | | | 564607802 | 11023 2ND AVE E | |
| DAKIRI, MOSTAFA M | | 9064 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102048319 | 9064 WILLOWBROOK CIR | |
| DALGARNO, KEVIN | | 2830 WINDSOR HILL DR | | WINDERMERE | FL | 34786 | | | 1102047509 | 9012 WILLOWBROOK CIR | |
| D'ALONZO, GARY M | D'ALONZO, NANCY A | 9515 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546031059 | 9515 PORTSIDE TER | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

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| DAMRATOSKI,THOMAS G | DAMRATOSKI,LINDA M | 9011 BROOKFIELD TER | | BRADENTON | FL | 34212 | | | 1102046159 | 9011 BROOKFIELD TER | |
| DAVIDSON,J MICHAEL | | 16200 N HAWTHORNE LN | | MOUNT VERNON | IL | 62864 | | | 546032409 | 9814 PORTSIDE TER | |
| DEFAZIO,DAVID M | DEFAZIO,JOYCE M | 16 MAHICAN CT | | SLINGERLANDS | NY | 12159 | | | 546032009 | 9708 PORTSIDE TER | |
| DIORETO,RINALDO | | 9014 KINGSBURY PL | | BRADENTON | FL | 34212 | | | 1102046409 | 9014 KINGSBURY PL | |
| DINH,RICHARD | TRAN,MICHAEL L | 520 SE 5TH AVE APT 2203 | | FORT LAUDERDALE | FL | 33301 | | | 1102045809 | 9012 BROOKFIELD TER | |
| DRISCOLL,MARTIN J | DRISCOLL,RENDA H | 11015 2ND AVE E | | BRADENTON | FL | 34212 | | | 564607901 | 11015 2ND AVE E | |
| DUNN,WILLIAM T | DUNN,ELENMARIE B | 10625 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022609 | 10625 RESTORATION TER | |
| DYSON,CHRISTOPHER T | DYSON,CAROLYN R | 9011 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102049259 | 9011 WILLOWBROOK CIR | |
| ELLIOTT,ROD | ELLIOTT,ELSIE | 4 ROYAL SOVEREIGN CLOSE | MOUNT PEARL NL | | | | CANADA | A1N 4N3 | 546021059 | 532 SAND CRANE CT | |
| ENDL,JOSEF | | 1535 LEE ST | | HOLLYWOOD | FL | 33020 | | | 546032809 | 10014 DAY LILY CT | |
| FERRIS,MICHAEL | FERRIS,LORRAINE | 394 CEDAR HILL RD | | AMBLER | PA | 19002 | | | 1102046509 | 9104 KINGSBURY PL | |
| FIORINI,MICHAEL L | FIORINI,MARY E | 10634 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022409 | 10634 RESTORATION TER | |
| FISHER,GREGORY M | FISHER,LYNN M | 9505 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546031159 | 9505 PORTSIDE TER | |
| FLOYD,RUDI THOMAS | FLOYD,BARBARA J | 18 HEATHER LN | | RANDOLPH | NJ | 7869 | | | 546032659 | 9834 PORTSIDE TER | |
| FORTMAN,PATRICIA A | | 9806 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032309 | 9806 PORTSIDE TER | |
| FRIDDLE,DANNY | FRIDDLE,VALENTINA | 11004 3RD AVE NE | | BRADENTON | FL | 34212 | | | 547600509 | 11004 3RD AVE NE | |
| GALLAGHER,KEVIN | THOMPSON,ANTHONY | BLEAK HOUSE,HODGE LANE | BAMOLDSWICK,LANCAS HIRE | | | | UNITED KINGDOM | UKBB18SHF | 1102047909 | 9044 WILLOWBROOK CIR | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

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| GALLAGHER,KEVIN | | BLEAK HOUSE,HODGE LN | BAMOLDSWICK,LANCAS HIRE | | | | UNITED KINGDOM | BB18 5HF | 1102046559 | 9108 KINGSBURY PL | |
| GATES CREEK ASSOCIATION INC | | 9031 TOWN CENTER PARKWAY | | BRADENTON | FL | 34202 | | | 564608206 | NO ASSIGNED ADDRESS | |
| GATES CREEK ASSOCIATION INC | | 9031 TOWN CENTER PARKWAY | | BRADENTON | FL | 34202 | | | 564608156 | NO ASSIGNED ADDRESS | |
| GATES CREEK ASSOCIATION INC | | 9031 TOWN CENTER PARKWAY | | BRADENTON | FL | 34202 | | | 564604858 | NO ASSIGNED ADDRESS | |
| GATES CREEK ASSOCIATION INC | | 9031 TOWN CENTER PARKWAY | | BRADENTON | FL | 34202 | | | 564608008 | NO ASSIGNED ADDRESS | |
| GAUTHIER,PATRICIA L | | 409 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021609 | 409 SAND CRANE CT | |
| GENNUSO,GARY L | GENNUSO,PEGGY C | 11018 2ND AVE E | | BRADENTON | FL | 34212 | | | 564605657 | 11018 2ND AVE E | |
| GILLETTE,DARREN J | | 9501 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546031209 | 9501 PORTSIDE TER | |
| GILLHAM,PAUL | GILLHAM,LINDA M | 9069 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102049709 | 9069 WILLOWBROOK CIR | |
| GOSLING ACQUISITIONS INC | | 1430 N HARPER AVE 206 | | LOS ANGELES | CA | 90046 | | | 1102046909 | 9013 KINGSBURY PL | |
| GRANT,HARRY D | GRANT,ANN M | 9510 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546031509 | 9510 PORTSIDE TER | |
| GRATSCH,WILLIAM R | GRATSCH,LINDA L | 9826 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032559 | 9826 PORTSIDE TER | |
| GREENFIELD GOLF LLC | | 4904 W CYPRESS ST | | TAMPA | FL | 33607 | | | 566801155 | NO ASSIGNED ADDRESS | |
| GREENFIELD GOLF LLC | | 4904 W CYPRESS ST | | TAMPA | FL | 33607 | | | 566800209 | 990 UPPER MANATEE RIVER RD | |
| GREGORY,CHARLES L III | STARR-GREGORY,CONNIE | 10611 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022759 | 10611 RESTORATION TER | |
| GUTHRIE,JOHN S | GUTHRIE,ELAINE S | 288 BEACH DR NE APT 11A | | SAINT PETERSBURG | FL | 33701 | | | 546021759 | 421 SAND CRANE CT | |
| HALL,RICHARD M | HALL,PATRICIA K | 413 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021659 | 413 SAND CRANE CT | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

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| HAMMER,JOSEPH E | | 9609 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030959 | 9609 PORTSIDE TER | |
| HANLE,JOSEPH W | HANLE,MARY ARCILES I | 524 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021159 | 524 SAND CRANE CT | |
| HANSEN,GREG | ROBERTS,MARSHA | 101 SARAH DR | | MILL VALLEY | CA | 94941 | | | 546031959 | 9704 PORTSIDE TER | |
| HANTMAN,KATHLEEN | HANTMAN,RONALD | 10010 DAY LILY CT | | BRADENTON | FL | 34212 | | | 546032759 | 10010 DAY LILY CT | |
| HARCHARIK,THOMAS A | PETTIT- HARCHARIK,SANDRA L | 9830 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032609 | 9830 PORTSIDE TER | |
| HARVEY,JAMES CRAIG | HARVEY,JEANNIE CARMEL | 1019 RAINBOW CT | | BRADENTON | FL | 34212 | | | 1102057509 | 9109 WINTER HARBOUR WAY | |
| HAW,STUART B | PERRIN-HAW,PATRICIA | 520 MOSSY BRANCH LN | | BRADENTON | FL | 34212 | | | 546031259 | 520 MOSSY BRANCH LN | |
| HAYNES,JOHN K | HAYNES,JACQUELIN L | 405 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021559 | 405 SAND CRANE CT | |
| HERITAGE HARBOUR NORTH COMMUNITY | | 2041 NE 6TH TER | | WILTON MANORS | FL | 33305 | | | 1102067709 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102054309 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102054259 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102057659 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102056409 | 327 GOLDEN HARBOUR TRL | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102054109 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102054859 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102054609 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102035759 | NO ASSIGNED ADDRESS | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

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| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102054159 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102056159 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102054809 | NO ASSIGNED ADDRESS | |
| HERITAGE HARBOUR SOUTH COMMUNITY | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 1102054779 | NO ASSIGNED ADDRESS | |
| HOFFERBERT,CLIFTON J | HOFFERBERT,VICKI LYNN | 10406 OLD GROVE CIR | | BRADENTON | FL | 34212 | | | 566829709 | 10406 OLD GROVE CIR | |
| HOPKINS,DANIEL P | HOPKINS,CHERYL ANN | 8335 38TH STREET CIR E 303 | | SARASOTA | FL | 34243 | | | 546031859 | 9616 PORTSIDE TER | |
| HOUSTON,ROGER K | HOUSTON,MELINDA M | 627 LAKEVIEW RD | | LAKE SAINT LOUIS | MO | 63367 | | | 546030809 | 9621 PORTSIDE TER | |
| HOWARD,CARRIE J | | 512 MOSSY BRANCH LN | | BRADENTON | FL | 34212 | | | 546031359 | 512 MOSSY BRANCH LN | |
| JEFF,DANIEL W | JEFF,SADIE | 508 MOSSY BRANCH LN | | BRADENTON | FL | 34212 | | | 546031409 | 508 MOSSY BRANCH LN | |
| JESEL,REINE D | JESEL,LINDA N | 10615 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022709 | 10615 RESTORATION TER | |
| JOSEPH-RIDGE,NANCY | | 417 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021709 | 417 SAND CRANE CT | |
| JOSHPE,GLEN | JOSHPE,VICKI R | 10622 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022259 | 10622 RESTORATION TER | |
| KAILING,DANIEL J | KAILING,LAURA L | 5555 HAMPSHIRE LN | | YPSILANTI | MI | 48197 | | | 546031809 | 9612 PORTSIDE TER | |
| KEANE,BRIAN J | KEANE,MELINDA A | 9028 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102047709 | 9028 WILLOWBROOK CIR | |
| KILBRIDE,MICHAEL J | KILBRIDE,BARBARA J | 9723 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030559 | 9723 PORTSIDE TER | |
| KOVAC,EDWARD J | KOVAC,MARY LOU | 10626 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022309 | 10626 RESTORATION TER | |
| KOZMA,CAITLIN MARIE | KOZMA,ABRAHAM | 9017 KINGSBURY PL | | BRADENTON | FL | 34212 | | | 1102046859 | 9017 KINGSBURY PL | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

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| KRAGULIAC,SVETLANA | | 9060 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102048219 | 9060 WILLOWBROOK CIR | |
| LANDRY,CHRISTOPHER | AMAYA,ERIK HERNANDEZ | 9103 KINGSBURY PL | | BRADENTON | FL | 34212 | | | 1102046809 | 9103 KINGSBURY PL | |
| LANE,KENT | LANE,BARBARA A | 9112 KINGSBURY PL | | BRADENTON | FL | 34212 | | | 1102046609 | 9112 KINGSBURY PL | |
| LARUSSO,DAVID M | SKAGGS,B DIXON | 9802 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032259 | 9802 PORTSIDE TER | |
| LASSETER,DONNA I | LASSETER,HENRY D | 10638 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022459 | 10638 RESTORATION TER | |
| LAWSON,D BRUCE | LAWSON,BEVERLEY J | 2 BROFOCO DR | BRACEBRIDGE,ON | | | | CANADA | P1L 1C8 | 546032459 | 9818 PORTSIDE TER | |
| LEFE VENTURES LLC | | 10309 RIVERBANK TER | | BRADENTON | FL | 34212 | | | 1102047659 | 9024 WILLOWBROOK CIR | |
| LEFE VENTURES LLC | | 10309 RIVERBANK TER | | BRADENTON | FL | 34212 | | | 1102047759 | 9032 WILLOWBROOK CIR | |
| LEFE VENTURES LLC | | 10309 RIVERBANK TER | | BRADENTON | FL | 34212 | | | 1102046109 | 9105 BROOKFIELD TER | |
| LEFE VENTURES LLC | | 10309 RIVERBANK TER | | BRADENTON | FL | 34212 | | | 1102049309 | 9015 WILLOWBROOK CIR | |
| LEFE VENTURES LLC | | 10309 RIVERBANK TER | | BRADENTON | FL | 34212 | | | 1102057109 | 9110 WINTER HARBOUR WAY | |
| LENNAR HOMES LLC | | 10481 BEN C PRATT 6 MILE CYPRESS PKWY | | FORT MYERS | FL | 33966 | | | 1102054719 | NO ASSIGNED ADDRESS | |
| LENNAR HOMES LLC | | 10481 BEN C PRATT 6 MILE CYPRESS PKWY | | FORT MYERS | FL | 33966 | | | 1102053309 | NO ASSIGNED ADDRESS | |
| LENNAR HOMES LLC | | 10481 BEN C PRATT 6 MILE CYPRESS PKWY | | FORT MYERS | FL | 33966 | | | 1102053859 | NO ASSIGNED ADDRESS | |
| LENNAR HOMES LLC | | 10481 BEN C PRATT 6 MILE CYPRESS PKWY | | FORT MYERS | FL | 33966 | | | 1102053409 | NO ASSIGNED ADDRESS | |
| LENNAR HOMES LLC | | 10481 BEN C PRATT 6 MILE CYPRESS PKWY | | FORT MYERS | FL | 33966 | | | 1102056909 | NO ASSIGNED ADDRESS | |
| LIDO KEY MANAGEMENT CONSULTANTS LLC | | 2033 MAIN ST 400 | | SARASOTA | FL | 34237 | | | 1102049359 | 9019 WILLOWBROOK CIR | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

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| LIMARDI,HENRY F | LIMARDI,VIRGINIA | 509 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021909 | 509 SAND CRANE CT | |
| LINK,FREDRIC E | | 9472 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546016609 | 9472 PORTSIDE TER | |
| LUSTBERG,THOMAS J | LUSTBERG,LYNDA L | 9712 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032059 | 9712 PORTSIDE TER | |
| LYNCH,PAUL M | LYNCH,KARLA J | 516 MOSSY BRANCH LN | | BRADENTON | FL | 34212 | | | 546031309 | 516 MOSSY BRANCH LN | |
| MAFFEO,VINCENT A | KUSTER,PATRICIA A | 219 MOLINETTO CT | | EL DORADO HILLS | CA | 95762 | | | 566829609 | 10414 OLD GROVE CIR | |
| MANATEE LAND INVESTORS LLC | | 1651 WHITFIELD AVE | | SARASOTA | FL | 34243 | | | 546400059 | UPPER MANATEE RIVER RD NE | |
| MARKS,MARGIE M | | 506 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546021309 | 506 SAND CRANE CT | |
| MARTIN,DAVID J JR | MARTIN,JAMIE M | 9119 WINTER HARBOUR WAY | | BRADENTON | FL | 34212 | | | 1102057409 | 9119 WINTER HARBOUR WAY | |
| MAYHEW,HOWARD E | MAYHEW,CECILIA | 11221 BELLMONT DR | | FAIRFAX | VA | 22030 | | | 546022809 | 10607 RESTORATION TER | |
| MAZZARA,BELISA | | 157 UPPER MANATEE RIVER RD NE | | BRADENTON | FL | 34212 | | | 548500008 | 157 UPPER MANATEE RIVER RD NE | |
| MCCLINTIC,DAVID W | SANT,MARILYN A | 9047 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102049559 | 9047 WILLOWBROOK CIR | |
| MCMILLAN,GREG | | 6321 GLEN ABBEY LN | | BRADENTON | FL | 34202 | | | 1102046659 | 9115 KINGSBURY PL | |
| MCRAE,HAROLD A | MCRAE,JOHNCYNA A | 519 SAND CRANE CT | | BRADENTON | FL | 34212 | | | 546022009 | 519 SAND CRANE CT | |
| MICHAELS,STEVEN S | SANCHEZ,JENNIFER JOYNT | 9003 BROOKFIELD TER | | BRADENTON | FL | 34212 | | | 1102046259 | 9003 BROOKFIELD TER | |
| MOORE,DUANE L | | 11408 UPPER MANATEE RIVER RD | | BRADENTON | FL | 34212 | | | 546900002 | 108 UPPER MANATEE RIVER RD NE | |
| MOORES DAIRY FARMS INC | | 113 UPPER MANATEE RIVER RD | | BRADENTON | FL | 34212 | | | 548700004 | 131 UPPER MANATEE RIVER RD NE | |
| MOORES DAIRY FARMS INC | | 113 UPPER MANATEE RIVER RD | | BRADENTON | FL | 34212 | | | 548700004 | 151 UPPER MANATEE RIVER RD NE | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

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| MORRIS,WILLIAM J | | 700 HIDDEN LAKES DR NE | | WARREN | OH | 44484 | | | 1102046959 | 9009 KINGSBURY PL | |
| MURRAY,LUCIUS D | MURRAY,ANTIONETTE | 9608 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546031759 | 9608 PORTSIDE TER | |
| NELSON,DENNIS ALBIN | NELSON,JOYCE A | 9838 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546032709 | 9838 PORTSIDE TER | |
| NUCKOLS,TERRY A | | 9008 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102047459 | 9008 WILLOWBROOK CIR | |
| ORTIZ,GILBERTO J | ORTIZ,ANGELITA M | 9035 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102049409 | 9035 WILLOWBROOK CIR | |
| PARISI,JOSEPH | PARISI,SHERYLL | 5 MEREDITH DR | | HOLLAND | PA | 18966 | | | 546033409 | 10017 DAY LILY CT | |
| PARKER,TIMOTHY | PARKER,NICOLE | 9509 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546031109 | 9509 PORTSIDE TER | |
| PATEL,JIGNESH | PATEL,MADHAVI | 9106 BROOKFIELD TER | | BRADENTON | FL | 34212 | | | 1102045859 | 9106 BROOKFIELD TER | |
| PENNEY,DANIEL W | PENNEY,BARBARA L | 11 VAUGHAN PL | ST JOHNS NL | | | | CANADA | A1B 1R3 | 546032959 | 10026 DAY LILY CT | |
| PERONA,GREGORY G | | 8102 GRAND ESTUARY TRL UNIT 103 | | BRADENTON | FL | 34212 | | | 1102048409 | 9074 WILLOWBROOK CIR | |
| POTTER,THOMAS R | POTTER,ANGELA H | 10630 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022359 | 10630 RESTORATION TER | |
| RAHN,ROBERT H | RAHN,MABEL E | 9255 S CEDAR HILL WAY | | LITTLETON | CO | 80124 | | | 1102046209 | 9007 BROOKFIELD TER | |
| RAMALHO,WILLIAMS | RAMALHO,KAREN A | 9070 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102048359 | 9070 WILLOWBROOK CIR | |
| RAUSCH,CHRISTIAN | | PRINZ-HANDJERY-STR 24 | 14167 BERLIN | | | | GERMANY | | 546031909 | 9620 PORTSIDE TER | |
| REIFF,JOHN DOUGLAS | | 10112 DAY LILY CT | | BRADENTON | FL | 34212 | | | 546033109 | 10112 DAY LILY CT | |
| REILLY,PATRICIA | REILLY,WILLIAM | 9613 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030909 | 9613 PORTSIDE TER | |
| RICHMAN,GARY | FOX,FAITH | 9207 WINTER HARBOUR WAY | | BRADENTON | FL | 34212 | | | 1102057309 | 9207 WINTER HARBOUR WAY | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

| | | | | | | | | | | | |
|-----------------------|-----------------------|-----------------------|--------------|---------------|----|-------|-------------|---------|------------|-------------------------|--|
| RICHMOND,PAUL B | RICHMOND,JANICE R | 9837 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030209 | 9837 PORTSIDE TER | |
| ROBISON,FRANCIS J | ROBISON,MARGARET A | 9617 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030859 | 9617 PORTSIDE TER | |
| ROEDER,PHILLIP M | LADD-ROEDER,JANINE K | 7656 TWP RD 94 | | FINDLAY | OH | 45840 | | | 566829759 | 10402 OLD GROVE CIR | |
| ROLL,DOUGLAS J | D'AMICO,FRANCINE J | 4625 WHITES POINT | | GENEVA | NY | 14456 | | | 546030709 | 9711 PORTSIDE TER | |
| SARMIENTO,JOSE G JR | SARMIENTO,ARIEL | 9052 WILLOWBROOK CIR | | BRADENTON | FL | 34212 | | | 1102048009 | 9052 WILLOWBROOK CIR | |
| SCHICKLING,CHESTER J | SCHICKLING,SHERRY N | 10104 DAY LILY CT | | BRADENTON | FL | 34212 | | | 546033009 | 10104 DAY LILY CT | |
| SCHLOEMER,GEORGE | SCHLOEMER,DANUTA | 711 RIVIERA DUNES WAY | | PALMETTO | FL | 34221 | | | 1102057209 | 9118 WINTER HARBOUR WAY | |
| SCHWARTZ,GERALD M | SCHWARTZ,MAE T | 10022 DAY LILY CT | | BRADENTON | FL | 34212 | | | 546032909 | 10022 DAY LILY CT | |
| SCIABBARRASI,GIUSEPPE | SCIABBARRASI,ROSEMARY | 14 GLENBROOK CT | | LAWRENCEVILLE | NJ | 8648 | | | 546031659 | 9524 PORTSIDE TER | |
| SCOTT,JAMES W | SCOTT,MARY F | 10027 DAY LILY CT | | BRADENTON | FL | 34212 | | | 546033359 | 10027 DAY LILY CT | |
| SHINDLER,ROBERT M | SUTTON,JOLENE M | 4306 BARRACUDA DR | | BRADENTON | FL | 34208 | | | 1102047959 | 9048 WILLOWBROOK CIR | |
| SHOPOVICK,WILLIAM C | SHOPOVICK,MARY LOU | 9604 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546031709 | 9604 PORTSIDE TER | |
| SILVER,GORDON | SILVER,ELIZABETH | 10410 OLD GROVE CIR | | BRADENTON | FL | 34212 | | | 566829659 | 10410 OLD GROVE CIR | |
| SIMMONS,GEORGE M | SIMMONS,CAROL B | 10606 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022059 | 10606 RESTORATION TER | |
| SLINK,BELINDA | | TUINSTRAAT 25 | WOENS DRECHT | | | | NETHERLANDS | 4634 VR | 1102046359 | 9010 KINGSBURY PL | |
| SLOTABEC,KURT E | SLOTABEC,CHARLOTTE L | 10614 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022159 | 10614 RESTORATION TER | |
| STANLEY,JAMES CHARLES | STANLEY,DENISE WARDEN | 279 POPLAR SUMMIT | | BOONE | NC | 28607 | | | 1102046709 | 9111 KINGSBURY PL | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

| | | | | | | | | | | | |
|-----------------------------------|----------------------------|-----------------------------|----------------|-------------------|----|-------|--------|---------|------------|----------------------------|--|
| STANLEY,PAMELA | | 504 MOSSY BRANCH LN | | BRADENTON | FL | 34212 | | | 546031459 | 504 MOSSY BRANCH LN | |
| STEAD,ROBERT J | STEAD,CATHERINE E | 11 ROYAL SOVEREIGN CLOSE | MOUNT PEARL NL | | | | CANADA | A1N 4N3 | 546016559 | 9476 PORTSIDE TER | |
| STEVENS,JOHN F IV | | 14901 RAMOS PL | | PACIFIC PALISADES | CA | 90272 | | | 546031559 | 9516 PORTSIDE TER | |
| STIBRAL,TOMAS | | 14675 W AMHERST PL | | LAKEWOOD | CO | 80228 | | | 546033309 | 10105 DAY LILY CT | |
| STONEBROOK AT HERITAGE HARBOUR | | 5824 PAYLOR LN | | SARASOTA | FL | 34240 | | | 1102057559 | NO ASSIGNED ADDRESS | |
| STONEBROOK AT HERITAGE HARBOUR | | 5824 PAYLOR LN | | SARASOTA | FL | 34240 | | | 1102057609 | NO ASSIGNED ADDRESS | |
| STONEBROOK AT HERITAGE HARBOUR | | 5824 PAYLOR LN | | SARASOTA | FL | 34240 | | | 1102035159 | NO ASSIGNED ADDRESS | |
| STONEBROOK AT HERITAGE HARBOUR | | 5824 PAYLOR LN | | SARASOTA | FL | 34240 | | | 1102053259 | NO ASSIGNED ADDRESS | |
| SWARTZ,ROBERT J | SWARTZ,JUDITH KOVALESKI | 2507 BELLMORE AVE | | BELLMORE | NY | 11710 | | | 546021359 | 422 SAND CRANE CT | |
| TAYLOR,JASON A | TAYLOR,SAUNDRA J | 9903 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030159 | 9903 PORTSIDE TER | |
| TAYLOR,JOE MICHAEL | TAYLOR,BRENDA BEAN | 10637 RESTORATION TER | | BRADENTON | FL | 34212 | | | 546022509 | 10637 RESTORATION TER | |
| TEMIN,DONNA R | | 9520 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546031609 | 9520 PORTSIDE TER | |
| THOMPSON,DONALD A | VACLAVIK,KAREN A | 9115 BROOKFIELD TER | | BRADENTON | FL | 34212 | | | 1102046009 | 9115 BROOKFIELD TER | |
| THOMPSON,ROBERT J | THOMPSON,KIMBERLEY J | 9109 BROOKFIELD TER | | BRADENTON | FL | 34212 | | | 1102046059 | 9109 BROOKFIELD TER | |
| THOMSON,R S JR | | 4822 OCEAN BLVD 11A | | SARASOTA | FL | 34242 | | | 1102046759 | 9107 KINGSBURY PL | |
| VAAL,TERESA K | | 9115 WINTER HARBOUR WAY | | BRADENTON | FL | 34212 | | | 1102057459 | 9115 WINTER HARBOUR WAY | |
| VARGAS,ROSEMARY R | TEMPESCO,THOMAS | 11019 2ND AVE E | | BRADENTON | FL | 34212 | | | 564607851 | 11019 2ND AVE E | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

| | | | | | | | | | | | |
|---|---------------|-----------------------------|------------------|-----------|----|-------|--------|---------|------------|-------------------------------|--|
| WAITERS,RICKIE R | JONES,LETRICE | 9018 KINGSBURY PL | | BRADENTON | FL | 34212 | | | 1102046459 | 9018 KINGSBURY PL | |
| WALSTEN,MICHAEL | WALSTEN,JULIE | 9719 PORTSIDE TER | | BRADENTON | FL | 34212 | | | 546030609 | 9719 PORTSIDE TER | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546019209 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546022859 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546033859 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE STE 200 | | TAMPA | FL | 33614 | | | 546033909 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546034059 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546018909 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546034259 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546023009 | 304 UPPER MANATEE RIVER RD | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE STE 200 | | TAMPA | FL | 33614 | | | 546033759 | 502 MOSSY BRANCH LN | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546034109 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546033809 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546022909 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546034159 | NO ASSIGNED ADDRESS | |
| WATERLEFE COMMUNITY DEVELOPMENT DISTRICT | | 3434 COLWELL AVE 200 | | TAMPA | FL | 33614 | | | 546033959 | NO ASSIGNED ADDRESS | |
| WEBB,NANCY J | | 14 RICHWOOD CT | KITCHNER,ONTARIO | | | | CANADA | N2P 2A8 | 546021109 | 528 SAND CRANE CT | |

Parcel Owners within a 500 ft. Radius. 3/16/2016

[illegible]



SERVICES

Civil Engineering
Environmental Engineering
Transportation Planning & Engineering
Pavement Management
Land Planning
Ecological Services
Surveying & Mapping
Construction Management
GIS Mapping
Landscape Architecture
(FL #LC26000183)

OFFICE LOCATIONS

FLORIDA

Jacksonville
Miami
Sarasota
Tampa

TEXAS

Austin

2930 University Parkway
Sarasota, Florida 34243
phone 941.358.6500
fax 941.358.6540

April 7, 2016

Ms. Stephanie Moreland
Manatee County Building & Development Services
1112 Manatee Avenue West
Bradenton, FL 34206-1000

Re: Heritage Harbour, Specific Approval Requests

Dear Stephanie:

This letter is written in accordance with Section 402.4.B of the Land Development Code to request Specific Approval for alternatives to standard Land Development Code requirements for a Planned Development project. On behalf of Upper Manatee 288, LLC and Manatee Land Investors, LLC, King Engineering Associates, Inc. respectfully requests approval of the following:

1. Section 402.7.D.5– Greenbelt buffers

Section 402.7.D.5 requires a 15' perimeter greenbelt buffer along all project boundary lines with exception of boundaries that coincide with designated Major Thoroughfare Roads, which are required to have a 20' wide buffer.

This section of the code also requires screening within the greenbelt, consisting of one shade tree, meeting minimum planting size standards in Section 701, planted every thirty (30) feet on center. Additionally, greenbelts are planned so that where two (2) PDR districts abut one another, the greenbelt buffer areas are contiguous. Section 402.7.D.5 also requires specific types of screening materials within the buffer.

Specific Approval is requested to eliminate the required tree plantings for portions of the 15-foot greenbelt buffer that abut off-site conservation easements, and the ability to cluster the required trees.

Eliminating the screening when adjacent to recorded conservation easements will meet the intent of the Code, which is to promote and enhance the creation of a unique neighborhoods by providing an adequate separation and screening.

Thank you for carefully considering our request, and don't hesitate to contact me at 941-358-6500 should you need additional information or have questions.

Respectfully submitted,



Misty Servia, AICP
Planning Dept. Manager

MMS/bab

**MANATEE COUNTY ZONING ORDINANCE
PDMU-98-08 (G)(R-7)
HERITAGE HARBOUR (f.k.a. HERITAGE SOUND)**

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING ORDINANCE NO. PDMU-09-08(G)(R6) TO APPROVE CHANGES TO THE GENERAL DEVELOPMENT PLAN AND ORDINANCE AS FOLLOWS: 1) ADD A LAND USE EQUIVALENCY MATRIX (LUEM) APPLICABLE ONLY TO PARCEL 35, 2) ADD COMMERCIAL, RETAIL, MULTI-FAMILY, AND ASSISTED LIVING FACILITY (ALF) AS POTENTIAL USES ON PARCEL 35 (WITHOUT INCREASING DRI ENTITLEMENTS), 3) SHOW A NUMERICAL RANGE OF DWELLING UNITS FOR PARCEL 35, 4) REALIGN PORT HARBOUR PARKWAY EXTENSION THROUGH PARCEL 35 AND CORRESPONDING "UPDATE OF NOTES"; 5) SPECIFY THE AMOUNT AND TYPE OF DEVELOPMENT THAT MAY BE AUTHORIZED ON PARCEL 35, INCLUDING RECREATIONAL AND OPEN SPACE REQUIREMENTS, 6) PROVIDE FLEXIBILITY IN THE SEPARATION BETWEEN MULTI-FAMILY BUILDINGS AND SINGLE-FAMILY DEVELOPMENT PARCELS, 7) CHANGE THE FRONT YARD SETBACK FOR PARCEL 35 FROM 25'/20' TO 20'/15' TO BE CONSISTENT WITH RESIDENTIAL DEVELOPMENT IN THE PROJECT, 8) REMOVE THE REQUIREMENT FOR A 30' BUFFER ALONG THE SOUTHERN BOUNDARY OF PARCEL 35, 9) REMOVE THE REQUIREMENT FOR A NOISE MITIGATION STUDY FOR PARCEL 35, 10) UPDATE WETLAND INFORMATION SHOWN ON GDP AND MODIFY PROVISIONS RELATED TO WETLAND BUFFERS AND IMPACTS FOR PARCEL 35, 11) OTHER MINOR UPDATES, PREVIOUSLY GRANTED LEGISLATIVE EXTENSIONS, TERMINOLOGY CHANGES, AND CORRECTIONS TO REFLECT PREVIOUSLY APPROVED CHANGES AND TO PROVIDE CONSISTENCY WITH OTHER APPROVED DOCUMENTS; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE. THE HERITAGE HARBOUR DRI IS GENERALLY LOCATED AT THE INTERSECTION OF I-75 AND SR 64, SOUTH OF THE MANATEE RIVER, AND WEST OF UPPER MANATEE RIVER ROAD (2,784.7 ± ACRES).

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

Section 1. AMENDMENT AND RESTATEMENT OF ORDINANCE NO. and PDMU-98-08(G)(R6). Ordinance PDMU-98-08(G)(R6) is hereby amended and restated in its entirety below. All prior zoning ordinances (and any site plans approved pursuant thereto) shall be superseded by this ordinance.

Section 2. DEFINITIONS. All capitalized terms used herein shall have the meanings set forth in Ordinance 14-37, as amended, Section 380.06F.S., the Manatee County Comprehensive Plan or the Manatee County Land Development Code, in that order of precedence.

Section 3. FINDINGS OF FACT.

The Board of County Commissioners, after considering the testimony, evidence, documentation, application to amend the Zoning Ordinance and General Development Plan for Heritage Harbour the recommendation and findings of the Planning Commission, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

- A. The Manatee County Planning Commission held a public hearing, April 14, 2016, has reviewed the request and filed a recommendation with the Board of County Commissioners; and
- B. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission, the Zoning Ordinance, and General Development Plan as it relates to real property described in Section 6 of this Ordinance for a multi-use development.
- C. The Board of County Commissioners held a public hearing on May 5, 2016 regarding said amendment to the Zoning Ordinance and General Development Plan described herein, in accordance with the requirements of Manatee County Ordinance No. 90-01 (the Manatee County Land Development Code), as amended, and has further considered the information received at the public hearing.
- D. The proposed amendment to the Heritage Harbour Zoning Ordinance and General Development Plan regarding the property described in Section 6 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01 (the Manatee County Comprehensive Plan), as amended.
- E. The authorized agent for Lennar Homes, LLC. Is Darin McMurray, Vice-President, 700 NW 107th Ave., Ste 400, Miami, FL 33172.
- F. The Owner and Master Developer of the property is Lennar Homes, LLC.
- G. The Owners of Parcels 19 and 20 is LNR Heritage Harbour, LLLP., David Welch, Vice-President, LNR Heritage Harbour, LLLP.
- H. The owners of Parcel 35 are Manatee Land Investors, LLC and Upper Manatee 288, LLC.

Section 4. GENERAL DEVELOPMENT PLAN

- A. The General Development Plan, dated June, 2015, is hereby APPROVED to allow a multi-use development, with the following conditions and modifications, included herein in Section 4.
- B. The previous development order for Heritage Harbour, which was adopted on September 4, 2014, and all subsequent amendments are hereby replaced in their entirety, provided this amendment shall not be construed to terminate the rights of the developer, if any, granted under Section 163.3167(8) Florida Statutes, to the extent such rights have previously been granted and not specifically herein or otherwise modified or amended.

Note: An asterisk (*) in the text of this Development Order denotes that the word is defined.

DEVELOPMENT APPROVAL AND LEVEL OF SERVICE CERTIFICATE CONDITIONS

- A(1). This Development Order approval shall constitute approval of the Revised General Development Plan application subject to the conditions set forth herein and shall be limited to the development amounts set forth in Table 1, below.
- A(2). Preliminary and Final Site Plan Applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application which are not specifically addressed in this Development Order or are not inconsistent with this Development Order.
- A(3). The Developer has demonstrated the availability of adequate infrastructure and the ability to meet Acceptable Levels of Service for roadways, solid waste service, mass transit, drainage, and parks and recreation. The Certificate of Level of Service for the project shall be valid until March 22, 2026. This includes the three year extension authorized pursuant to Paragraph 380.06(19)(c), Florida Statutes and previously authorized legislative extensions pursuant to HB 7207 and F.S. 252.363..

TABLE 1 - Development Totals

TYPE OF DEVELOPMENT: Multi-Use Development.

LOCATION: Northeast of the intersection of I-75 and SR 64.

TOTAL DEVELOPMENT AMOUNTS:

| CATEGORY | ACREAGE ¹ | PHASE I ² | PHASE II ² | TOTAL |
|--|---------------------------------|--------------------------------|--------------------------------|-------------------------|
| | | 2000- 2017 2019* | 2004- 2022 2024* | |
| Commercial | 164.3 | | | |
| Retail ³ | | 300,000 s.f. | 551,900 s.f. 488,837s.f. | 788,837851, 900 s.f. |
| Office ³ | | 103,250 s.f | 66,750 s.f. | 170,000 s.f. |
| Hotel ³ | | 150 rooms | 150 rooms | 300 rooms |
| ACLF | | 0 | 600 beds | 600 beds |
| Residential⁴ | 4302.3 1282.6 | | | |
| Single family detached | | 1,290 units | 980 units | 2,270 units |
| Single family attached/ semi-detached | | 500 units | 640 units | 1,140 units |
| Multi-family | | 760 units | 1,180** units | 1,940** units |
| Total Residential Units | | 2,550 units | 2,450 units | 5,000 units |

| | | | | |
|-------------------------------------|---------------|----------|---------|----------|
| Right of Way | 67.9 | | | |
| Open Space | 1250.2 | | | |
| Golf Course | 250 | 36 holes | 9 holes | 45 holes |
| Park | 41.2 | | | |
| Wetlands, Lakes, Passive Recreation | 959 | | | |
| TOTAL | 2784.7 | | | |

* November 2041st of referenced year for Phase I and Phase II.

** This number includes 350 multi-family units approved through LUEM, Exhibit 15 (AD-12-15, dated 11/6/12) which allows for conversion of units, but is not included in total of residential units. Total entitlements for residential units remain 5,000 units.”

¹ Acreage figures subject to adjustment due to final survey and platting, surveyed jurisdictional determinations, permit survey data, etc.

² The Phase I and II buildout dates include the three year extension authorized pursuant to Paragraph 380.06(19)(c), Florida Statutes and legislatively authorized extensions pursuant to HB 7207 and F.S. 252.363.

³ Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.

⁴ Residential units may be exchanged among the types of approved units per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.

⁵ Part of total project area of 2,784.7.

⁶ Development minimums and maximums shall be per the LUEM included as Exhibit 17.

⁷ Because mitigation has been completed for PH I and PH II, residential entitlements remaining at the end of Phase I may be carried over to Phase II.

A(4). Geographic phasing is not approved with this project. Phase assignments shall be based on the order that the project receives Final Site Plan approval.

B. TRANSPORTATION CONDITIONS

B(1). The following roadway and intersection improvements shall be required as part of Phases I and 2. The Developer* shall, at the time of each application for Preliminary Site Plan* approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of net new external p.m. peak hour trips*, identified in the DRI documentation, which has previously been permitted in the Project*. New external p.m. peak hour project trips shall be based on the trip rates adjusted for pass-by and internal capture as established by the following “P.M. Peak Hour Project Trip Generation Comparison”.

| Parcels 19 and 20 P.M. Peak-Hour Project Trip Generation Comparison ⁽³⁾ | | | | | | | | |
|--|-------------|-------|-------|------------------|---------|----------------|-------|-------|
| Scenario | Gross Trips | | | Internal Capture | Pass-By | Net, New Trips | | |
| | Enter | Exit | Total | | | Enter | Exit | Total |
| Existing ⁽¹⁾ | 3,889 | 3,252 | 7,141 | 1,428 | 644 | 2,853 | 2,216 | 5,069 |
| Proposed ⁽²⁾ | 3,932 | 3,335 | 7,267 | 1,456 | 666 | 2,871 | 2,274 | 5,145 |
| Difference | 43 | 83 | 126 | 28 | 22 | 18 | 58 | 76 |

Source: (1) ITE's, *Trip Generation* (6th Edition)
(2) ITE's, *Trip Generation* (8th Edition)
(3) Traffic Impact Statement dated 12/17/09 by Kimley-Horn, Table 1 on page 2

The Developer* shall not be entitled to a Preliminary Site Plan* approval which would result in the cumulative number of net new external p.m. peak hour trips for the Project* to exceed the applicable net external p.m. peak hour project trip* thresholds set forth in Table 2 unless Funding Commitments* from Responsible Entities* have been obtained to ensure that the improvements required are in place Concurrent* with such Preliminary Site Plan. **[Required Improvements have been mitigated through the approval of LDA-08-08 as amended and restated by LDA-08-08(R), hereinafter referred to as the "LDA".]**

TABLE 2
Required Improvements

| Intersection | Required Improvement | Impact Fee Creditable | When Required |
|--------------------------|---|----------------------------|---------------|
| a. I-75 West-ramps/SR-64 | Signalize when warranted (completed) | No | Notes 1&4 |
| b. I-75 East-ramps/SR-64 | (1) Signalize when warranted (2) Reconfigure northbound off-ramp and provide a second right turn lane. (all improvements completed) | No Yes | Notes 1&4 |
| c. SR-64 and Lena Road | (1) Signalize when warranted (2) Eastbound left-turn lane (3) Westbound right-turn lane (4) Southbound exclusive left-turn lane (5) Southbound shared through/right-turn lane (All improvements completed) | No No No No No | Notes 1&4 |
| d. SR-64/Kay Road | (1) Retrofit the existing Southbound approach (N. Leg) of Kay Road (local Improvement). | Note 2 | Notes 2&4 |

| | | | |
|--|--|---------------------------------------|-----------|
| | (2) Extend the Eastbound left-turn lane to 520 feet. (3) Westbound right-turn lane (length 300 feet) (Local Improvement) (4) Signalize when warranted (5) Southbound right-turn lane (local improvement) (All improvements completed) | Yes Note 2 No Note 2 | |
| e. Grand Harbour PkwyfSR-64 | (1) Dual Eastbound left-turn lanes (completed) (2) Westbound right-turn lane (completed) (3) Exclusive Southbound right-turn lane (completed) (4) Exclusive Southbound left-turn lane (completed) (5) Signalize when warranted (completed) (6) Westbound left-turn lane (completed) | No No No No No Yes | Notes 1&4 |
| f. River Heritage Blvd/SR-B4 | (1) Directional Eastbound left-turn lanes (completed) | No | Notes 1&4 |
| | (2) Westbound right-turn lane (completed) (3) Exclusive Southbound right-turn lane (completed) (4) Signalized when warranted | No No No | |
| g. SR/64/Lakewood Ranch Blvd/Upper Manatee River Rd. | (1) Northbound left-turn lane (completed) (2) Southbound right-turn lane (local improvement) (completed) | Yes | Notes 3&4 |
| h. SR70/I-75 ramps | (1) Signalize when warranted(local improvement) (completed) | No | |
| i. I-75 & SR 64 interchange | Contribute \$190,000 for construction costs (completed) | No | |

| Roadway | Requirement Improvement | Impact Fee Creditable | When Required |
|-----------------------------------|--|-----------------------|-------------------------------------|
| a. SR-64 from I-75 to Lena Rd | Widen to 4-lanes (completed) | Yes | Notes 1&4 |
| b. SR 64 from Kay Rd to Lena Road | Develop and implement a time based coordinated signal system (local improvement) (completed) | No | Concurrent with signal installation |
| | | | See Stipulation B(9) |

| | | | |
|--|--|-----|--------------------------------|
| c. SR 64 from 39 th St. E to Kay Road | Widen from 4 to 6 lanes | Yes | |
| d. Port Harbour Parkway | Extend from its current terminus to Upper Manatee River Road | Yes | See Stipulations B(5) and B(9) |

All improvements on state roads are subject to FDOT approval.

Note 1: The Developer* shall be responsible for design, permitting, and construction of this improvement within thirty-six (36) months of the date upon which Ordinance 00-19 became non-appealable (the date for construction of these improvements has been extended pursuant to an agreement with Manatee County. The Developer* or its Assignees shall be entitled to receive transportation impact fee credits for these improvements as defined in Table 2 above.

Note 2: The existing south approach (north leg) of Kay Road shall be relocated further west to form a typical four-legged intersection with the existing T-intersection at 60th Street Court East (completed). Right-of-way, design, and required permits shall be provided by the County* (completed). The Developer* shall only be responsible for funding and implementing the construction of the improvement and the County* shall reimburse the Developer* for all costs associated with construction of the Local Improvement portions of this improvement. Should Manatee County fail to obtain the required right-of-way and the appropriate permits and complete the design, prior to the commencement of Phase II, the Developer* shall not be prevented from continuing development, provided that when the County does obtain right-of-way and permits and complete design, the Developer* begins construction of this improvement within 6 months. This intersection Improvement (regional improvements 2 and 4) shall be eligible to receive transportation impact fee credits. All local improvements (1, 3, and 5) shall be subject to the Reimbursement Agreement between the County* and the Developer*.

Note 3: The Developer* shall be responsible for design, permitting, and construction of this improvement prior to exceedance of 2,474 p.m. peak hour net new external project trips* (completed). The Developer* or its Assignees shall be entitled to receive transportation impact fee credits for these improvements as defined in Table 2 above.

Note 4: These improvements shall be funded by the Developer* via the posting of a bond in a form and manner acceptable to the County*. The bond for Intersection Improvements a., b., c., e., and f., and both Roadway Improvements (a., and b.) shall be posted prior to the receipt of the first permit allowing for Vertical Development*. The bond for Intersection Improvement d. shall be posted the earlier of completion of right-of-way acquisition, design and permitting or December 1, 2004. The bond for Intersection Improvement g. shall be posted the earlier of July 1, 2004 or upon reaching 2,474 p.m. peak hour net new external project trips*. The Developer*, unless otherwise specified herein, shall be responsible for negotiation for, and acquisition of any right-of-way necessary to accomplish this requirement. The Developer* shall be responsible for all fees and costs associated with the purchase of right-of-way, unless otherwise specified herein. If the Developer* is unable to acquire the right-of-way through a negotiated purchase, then the County* shall use its power of eminent domain to acquire the necessary right-of-way. If condemnation is required, the Developer* shall be responsible for all associated costs with the litigation and reimburse the County, unless otherwise specified herein. Progress regarding completion of this improvement shall be included in each Biennial Report. The Developer* shall provide documentation regarding such progress and provide an updated schedule of completion addressing design, right-of-way acquisition, permitting and construction. The County* shall determine the reasonableness of each updated schedule. Should the updated schedule require an extension of time for the completion of the improvement due to right-of-way acquisition or permitting, the County* shall determine if an extension of time is acceptable and if an amendment to this Zoning Ordinance is required (All right of way has been acquired).

B(2). When Certificates of Occupancy have been issued for 4,500 residential units, or the equivalent thereof in terms of net new external p.m. peak hour project trips, a biennial monitoring program to provide peak hour counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts shall continue on an biennial basis through buildout. This information shall be supplied in the required Biennial Report for the Development Order. If the Biennial Report indicates the total trips exceed projected counts by more than 15%, Manatee County shall conduct a Substantial Deviation Determination pursuant to Subsection 380.06(19), Florida Statutes and may amend the

Development Order to change or require additional roadway improvements. If a Biennial Report is not submitted within thirty (30) days of its due date, Manatee County may conduct a Substantial Deviation Determination pursuant to Subsection 380.06(19), Florida Statutes and may amend the Development Order to change or require additional roadway improvements. The results of the study may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments. Such a variance shall be presumed to be a substantial deviation unless the developer rebuts this presumption by clear and convincing evidence. If the variance is determined to be a Substantial Deviation, the revised transportation analysis required pursuant to Subsection 380.06(19), Florida Statutes shall be based upon results of the monitoring program and agreements reached at another transportation methodology meeting to be held prior to the preparation of the new analysis. [Transportation mitigation has been completed for the approved development for both Phase I and Phase II through build-out. Therefore, monitoring is no longer required.]

- B(3). When Certificates of Occupancy have been issued for 2,000 residential units or the equivalent thereof, in terms of trip generation, the Developer* shall prepare a Transportation Systems Management (TSM) program. The plan shall be reviewed by Manatee County, Metropolitan Planning Organization, Florida Department of Transportation (FDOT), and TBRPC. [The provisions of this Section B(3) have been supplanted by the LDA.]

The TSM program shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of the TSM measures. Results of the TSM program shall be included in the Biennial Report.

If the Biennial Report indicates the total peak hour trips are not being diverted reasonably commensurate with those anticipated, Manatee County shall decide whether to conduct a Substantial Deviation Determination pursuant to Subsection 380.06(19), Florida Statutes for the purpose of determining amendments or other requirements to be added to the Development Order to change TSM objectives or require additional roadway improvements. The results of the TSM study may serve as a basis for the Developer* or reviewing agencies to request Development Order amendment. The TSM program shall seek to implement and will be measured by the TSM objectives and policies set forth in the Florida Transportation Plan and shall include, but shall not be limited to:

POLICY: Promote ride sharing by private and public sector employees.

OBJECTIVES:

- Increase urban peak automobile occupancy rates by 10% by 2015 through expanded ride sharing efforts.
- Increase peak hour occupancy rates for transit and other high-occupancy modes of transportation by 20% by 2015.

- B(4). Prior to the first Final Plat, or Certificate of Occupancy if platting is not required, the developer shall dedicate right-of-way along its entire frontage to accommodate the future six laning of State Road 64. (Completed) The Developer or its assignees shall be entitled to receive full transportation impact fee credit for the dedication as defined in Table 2. (Completed) The construction of model homes and the sales center shall be exempt from this condition if the Developer* does not have title to the property to be dedicated at the time a Final Plat or Certificate of Occupancy is issued for model homes or the sales center.

- B(5). Prior to commencement of Phase II, the developer shall dedicate 100 feet of right-of-way and construct Port Harbour Parkway as a two-lane thoroughfare roadway, including sidewalks, bike lanes, appropriate intersection improvements and associated retention, from its I-75 terminus to the eastern boundary of the original 2,485 acre tract. (Completed)

For that portion of Port Harbour Parkway, planned through Parcel 35 the Developer* shall dedicate the necessary remaining right-of-way to achieve a total width of 105 feet for the eastern most 500 foot segment and 100 feet for the remaining segment, prior to the first Final Plat approval in Parcel 35. [The provisions of this Section B(5) have been supplanted by the LDA.]

This segment of Port Harbour Parkway shall be completed as a two lane divided roadway (outer lanes) with bike lanes and sidewalks and include the ultimate configuration of Port Harbour Parkway at the intersection of Upper Manatee River Road as set forth in Stipulation in B(9). Temporary striping shall be utilized until the full intersection improvements are made by the county.

- B(6). The developer shall provide easement(s) to Manatee County to allow for attenuation and treatment of all stormwater from the planned build-out conditions (6-lane thoroughfare roadway with intersection improvements and sidewalks) for half of Upper Manatee River Road. A Drainage, Maintenance, and Access Easement shall also be provided to Manatee County for conveyance of stormwater from Upper Manatee River Road to the stormwater pond. The Drainage-Maintenance Access Easement shall be on clear and level ground and free of obstructions, including any landscaping in addition to the roadway buffer. Manatee County shall be responsible for the construction of the drainage conveyance improvements, the restoration of the roadway buffer and the maintenance of the free flow of the drainage conveyance. The pond within the stormwater easement shall not be a bonded improvement. Prior to Final Plat approval for the first plat abutting Upper Manatee River Road, the easements shall be approved by the Property Management Department and recorded in the Public Records and the developer shall submit to the Public Works Department the SWFWMD approval letter demonstrating that the approved stormwater pond has been designed with the capacity to accommodate the drainage for the build-out of Port Harbour Parkway as described above. Completion of the above improvements by Manatee County shall not require any further authorization from the developer or Home Owners Association. [The provisions of this Section B(6) have been supplanted by the LDA.]

- B(7). The original development order provided for construction of a frontage/access road to the Timberlane RV Park. In lieu of this frontage/access road the developer shall provide the following alternative:

1. Once S.R. 64 construction begins, the contractor shall maintain safe access to Timberlane RV Park pursuant to FDOT rules. Once the right turn lane set forth in #1 below is constructed, the right turn deceleration lane shall be maintained during construction, while the existing SR 64 pavement is being utilized for traffic.
2. The alternative access through Heritage Harbour will be as indicated on Map A, entitled Timberlane Access.
3. Alternative access through Heritage Harbour shall be facilitated with signage agreed to by Lennar Homes, LLC and Timberlane, in conformance to FDOT and Manatee County sign regulations. (Note: Guidance signs will not be permitted on FDOT R.O.W.)
4. Timberlane shall provide a letter to FDOT indicating their satisfaction with alternative

proposed. (completed)

5. If this alternative is selected, Lennar Homes, LLC shall be responsible for the costs it has incurred to date associated with the construction of the frontage road. Any legally recognizable costs of the adjacent property owner (Musgrave) which are the result of the County's use of eminent domain shall be the County's responsibility.

As part of this alternative, Timberlane RV will be responsible for the following prior to their Certificate of Occupancy:

1. A right-turn deceleration lane with a 12-foot lane for 100-feet and a 200-foot taper shall be in place on SR 64 prior to the opening of the Timberlane RV Park
 2. The deceleration lane shall be built according to the appropriate FDOT standards and shall be approved by FDOT and Manatee County.
 3. Timberlane shall provide visitors information relative to traffic circulation. [The Developer has complied with the above obligations and the requirements are no longer necessary as State Road 64 construction has been completed]
- B(8) In addition to the access shown on the GDP for Parcel 35, an access shall be provided to Upper Manatee River Road. The second street access shall have a minimum separation of 1,300 feet from Port Harbour Parkway and 800 feet from 2nd Avenue East, or an acceptable alternative, as approved by staff. [The provisions of this Section B(8) have been supplanted by the LDA.]
- B(9) The County has identified the construction of Port Harbour Parkway from its current terminus to the Upper Manatee River Road (or the alternative project as identified in #3 below) ("PFSM Project") as a benefit to a regionally significant transportation facility. Such construction will be in conformance with the provisions set forth below in this Section B(9) and will satisfy the mitigation requirements of Section 163.3180(12) Florida Statutes. [The provisions of this Section B(9) have been satisfied by the LDA.]
- a. Developer* will enter into an agreement with the County in which the Developer* will commit:
 1. To pay to the County its proportionate fair share mitigation "PFSM" for transportation impacts prior to the Final Site Plan for any residential development in Phase II to assure construction of the PFSM Project. The PFSM has been calculated to be \$2,775,500.00;
 2. To dedicate to the County the right of way necessary to complete the construction of Port Harbour Parkway, and for Upper Manatee River Road as depicted on the General Development Plan at the request of the County and to waive impact fee credits for such right of way dedication;
 3. To construct Port Harbour Parkway (the PFSM Project), the cost of which has been determined to be in excess of the PFSM, within 5 years of the approval date of this ordinance, utilizing funds from the PFSM payment to the County as well as additional contributions from the Developer; and
 4. To post a bond or letter of credit in the amount of the difference between the PFSM and the costs of the construction of the PFSM Project, as estimated by Developer's engineer

and approved by the County, securing such commitment, prior to the approval of the first Final Site Plan for any residential development in Phase II.

The effective date of the agreement will be approximately 45 days after execution to allow for statutory lag time (appeal period, etc.). If the developer transfers a substantial portion of the project to a contract purchaser, the contract purchaser shall also be a party to the agreement

- b. Upon entering into the agreement, the Developer* will be issued a Certificate of Level of Service ("CLOS") for Phase II. The CLOS shall allow Developer to proceed with construction of the commercial development of Phase II of the Project* immediately and with construction of residential units in Phase II upon payment of the PFSM and posting of the bond or letter of credit, but no earlier than January 1, 2010 (except for model homes which may proceed immediately after entering into the agreement). (Completed)
 - c. Initially, the PFSM Project identified for construction will be Port Harbour Parkway as set forth above. However, the County will retain the option to reprogram the Developer's contributions (PFSM payment and financial equivalent of commitment to complete Port Harbour Parkway) to another major project (possible SR 64 if it can be used to forward-fund state construction dollars).
 - d. In the event the County elects to use the PFSM for a project other than Port Harbour Parkway, Developer shall construct Port Harbour Parkway within one year of the Final Site Plan approval of the 1500th unit in Phase II. Prior to approval of the Final Site Plan for the 1500th unit in Phase II the Developer shall post security assuring such construction. Impact fees paid by Phase II of the development shall be earmarked by the County for such construction and shall be used for such construction.
 - e. The Developer will receive impact fee credits for 100% of the Developers PFSM payment and cost of construction of the PFSM Project, but will waive impact fee credits for the donation of right of way for Port Harbour Parkway
- B(10).The developer shall provide easement(s) to Manatee County to allow for attenuation and treatment of all stormwater from the planned build-out conditions (4-lane thoroughfare roadway with intersection improvements and sidewalks) for both sides of Port Harbour Parkway. A Drainage, Maintenance and Access Easement shall also be provided to Manatee County for conveyance of stormwater from Port Harbour Parkway to the stormwater pond. The Drainage-Maintenance Access Easement shall be on clear and level ground and free of obstructions, including any landscaping in addition to the roadway buffer. Manatee County shall be responsible for the construction of the drainage conveyance improvements, the restoration of the roadway buffer and the maintenance of the free flow of the drainage conveyance. The pond within the stormwater easement shall not be a bonded improvement. Prior to Final Plat approval for the first plat abutting Upper Manatee River Road, the easements shall be approved by the Property Management Department and recorded in the Public Records and the developer shall submit to the Public Works Department the SWFWMD approval letter demonstrating that the approved stormwater pond has been designed with the capacity to accommodate the drainage for the build-out of Port Harbour Parkway as described above. Completion of the above improvements by Manatee County shall not require any further authorization from the developer or Home Owners Association. [The provisions of this Section B(10) have been supplanted by the LDA.]

- B(12) Only Parcels 19 and 20 allow for the conversion of Commercial/Retail, Office, and Hotel uses. Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM), included as Exhibit 15. Parcel 35 allows for the exchange of land uses per the Land Use Exchange Matrix (LUEM), included as Exhibit 17.
- B(13) Utilization of the Residential Land Use Equivalency Matrix shall not require modifications to the General Development Plan, provided that development proceeds in accordance with the Land Use Table shown on the General Development Plan (Exhibit 6).
- B(14) Upon utilization of any Land Use Equivalency Matrix, the applicant shall provide a table on the FSP indicating the exchange of units or square footage, and corresponding increase or decrease of total unit counts and square footage by land use type.
- B(15) Land Use Equivalency Matrices (LUEM) for Parcels 19 and 20 and Residential uses are included as Exhibit 15 of this Ordinance. Land Use Equivalency Matrix for Parcel 35 is included as Exhibit 17. The Tampa Bay Regional Planning Council and the Florida Department of Economic Opportunity will have a minimum 14-day, maximum 21-day review of any/all proposed conversions of the LUEM prior to approval by Manatee County. The applicant shall provide written notice to the Tampa Bay Regional Planning Council and the State Land Planning Agency of all proposed conversions under the LUEM and submit proof of such notice to Manatee County prior to approval by Manatee County of such conversions in accordance with this section. In addition, all future conversions shall be duly noted within subsequent Biennial Report submitted for the project.

C. ENVIRONMENT

C(1). Vegetation. Wildlife. and Wetlands

- a. In the event that any additional state or federally-listed species are discovered on-site during project development, the developer shall immediately notify the Florida Fish and Wildlife Conservation Commission and Manatee County EMD and implement the appropriate measures for species conservation as recommended by the Florida Fish and Wildlife Conservation Commission.
- b. A management plan for the project, consistent with Policy 3.3.2.2 of the Comprehensive Plan, for removal of nuisance and exotic species, shall be developed by the applicant and approved by Manatee County prior to the first Final Site Plan approval for the project. (Completed for that portion of the project site south of Port Harbour Parkway.)
- c. Prior to approval of any Final Subdivision Plat (or Plan if Platting is not required), the Developer* shall record Land Development covenants or deed restrictions designed to prevent homeowner's activities from degrading habitat.
- d. Wetland buffers along the Manatee River, [the river as shown on Map F (Exhibit 1)], tidal creeks and islands shall be a minimum width of 50' except that wetland buffers for development within Parcel 12/13 shall be consistent with the Land Development Code and Comprehensive Plan. All other buffers shall be a minimum width of 30 feet, unless otherwise approved by the Building and Development Services Department, consistent with the Comprehensive Plan and Land Development Code.
- e. Upland buffers between on-site wetlands, marshes, streams or rivers and any type of

development or land alteration shall be delineated with temporary construction fencing prior to construction to allow these areas to be maintained with existing native vegetation or be replanted with native, transitional zone or upland vegetation. All wetland buffers shall have signage posted depicting the purpose and intent of the buffer. Signage text and location shall be approved by the Building and Development Services Department. The use of pesticides, herbicides, or fertilizers, unless part of an approved nuisance and exotic management plan, shall be prohibited in these buffers and the wetlands they protect.

- f. The Developer* shall submit a wetland management and mitigation plan to the County* for approval prior to, or concurrent with Preliminary Site Plan applications. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on- and off-site water quality, methods for hydro-period maintenance with a detailed narrative and preliminary plans for mitigated or significantly enhanced wetlands.
- g. Post-development wetlands, conservation tracts, and mitigation areas shall be regarded as preservation areas for the purpose of protecting their natural attributes. These areas shall be placed under conservation easements conveyed to Manatee County consistent with the restrictions on development provided for in Section 706 of the Land Development Code.
- h. The maximum amount of wetland impacts shall not exceed the total listed in Table 13-4, revised October 2006, attached as Exhibit 2. However, at time of Preliminary Site Plan approval, all proposed wetland impacts shall demonstrate compliance with minimization, avoidance, and mitigation, pursuant to the Comprehensive Plan, prior to authorization of any wetland impacts.
- i. The native upland plant community quantities committed to be preserved in Table 12-2 of the NOPC application dated May, 2004 (Exhibit 3), shall include 75 percent of the pine flatwoods and pine-mesic oak community located adjacent to the Manatee River and its tributaries, mangrove swamps, and saltwater marshes.
- j. As shown in Table 12-2 of the NOPC application dated May, 2004 (Exhibit 3), 36 acres of upland forested communities shall be preserved to provide habitat for the Sherman's fox squirrel.
- k. Concurrent with the construction of the internal roadways adjacent to Mitigation Area 6 and the associated wetlands shown on Exhibit 12, the Developer shall construct a fence which will be a minimum of four feet in height and of chain link or a similar material that will prevent passage of young sandhill crane chicks. The general location and extent of the fence is shown on Exhibit 12. (Completed)
- l. Unless otherwise approved by the Building and Development Services Department, native or drought tolerant landscape materials shall be utilized. The developer and future owners of the site shall be required to participate in the Florida Yards and Neighborhood Program.
- m. There shall be no trimming or cutting of mangroves within conservation easements in this development after the effective date of this ordinance. The removal of dead limbs may be allowed subject to approval by the Building and Development Services Department. Language shall be incorporated into the required Conservation Easements, HOA documents and Notice to Buyers. The owners of the golf course and any other open space

adjacent to mangroves shall also be notified of this prohibition. The specific language shall be reviewed by the Building and Development Services Department with the Final Site Plan. The conservation easements containing this prohibition shall be submitted to the County Attorney's Office for approval as to form, prior to recording in the Public Records.

- n. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with Final Plat approval.
- o. The developer shall provide an updated study consistent with Policy 3.3.2.1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or federal agency, shall be provided to the County for any listed species found on-site, prior to Final Site Plan approval.
- p. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.
- q. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.
- r. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the county for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
 - Digital photographs of the well along with nearby reference structures (if existing).
 - GPS coordinates (latitude/longitude) of the well.
 - The methodology used to secure the well during construction (e.g. fence, tape).
 - The final disposition of the well – used, capped, or plugged.
- s. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

C(2). Air Quality

- a. Manatee County shall reserve the right to require mitigation measures or a revision of the site plan to alleviate potential negative impacts of the project on ambient air quality.
- b. Best Management Practices shall be employed during site preparation and construction to minimize air quality impacts.
- c. Any open burning conducted on site as part of land clearing activities shall be permitted by

EMD.

C(3). Water Quality and Stormwater Management

- a. An Integrated Pest Management Plan (IPMP) shall be developed and approved by Manatee County prior to the first Final Site Plan. Completed. The IPMP shall address the following items:
 - (1) Fertilizer/pesticide/herbicide/application;
 - (2) Golf course pest management methods and procedures; and
 - (3) Related quality control and assurance procedures.

A training manual shall be developed as part of the IPMP for maintenance personnel and made available on site at all times.

- b. The Developer shall implement the surface and ground water monitoring plan in accordance with the Heritage Sound Water Quality Monitoring Plan included as Appendix 14 S.1 in the Heritage Sound DRI Application for Development Approval Sufficiency Response dated March 1999 (Exhibit 10), and as amended for the Moore's Dairy site in accordance with the Water Quality Monitoring Plan approved by the Manatee County Natural Resources Department (MCNRD) on October 11, 2005 and included as Section IV in the Heritage Harbour DRI Notice of Proposed Change 2nd Sufficiency Response dated September 2005, unless otherwise modified with the approval of the Environmental Management Department.
- c. There shall be no individual groundwater wells associated with single or multi-family residences allowed within the development. This requirement shall be noted in all homeowner documents and disclosure statements. The location and well size of existing wells shall be indicated on each Preliminary Site Plan submitted for the project. A Well Management Plan, for the proper rehabilitation/abandonment of existing wells in accordance with SWFWMD Rule Chapter 40D-2, shall be submitted to the EMD for review and approval prior to authorization of construction.
- d. The developer shall conduct annual inspections of the surface water management system on the project site to ensure that the system is being properly maintained in keeping with its design, and is capable of accomplishing the level of stormwater storage or treatment for which it was designed and intended.
- e. The stormwater management systems shall be designed, constructed, and maintained to meet Chapter 40D-4 of the Florida Administrative Code. At a minimum, planted littoral zones equivalent to 35 percent of the total minimum lake area needed for stormwater treatment shall be required and shall be concentrated at the outfall.
- f. Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented.
- g. All on-site existing underground tanks shall be abandoned pursuant to applicable State and County* rules. All existing underground storage tanks within the project* shall be identified prior to the first PSP approval. Completed.

- h. An Environmental Assessment of the site shall be conducted by an Environmental Consultant to determine potential hazardous material locations (i.e., historical cattle dipping vats, underground/above ground storage tanks, or buried drums). Should evidence of hazardous material be discovered, further investigations will be required to determine the level of contamination and appropriate remediation/mitigative measures. The Environmental Assessment for the entire site shall be conducted and submitted for County review prior to the first Preliminary Site Plan approval. Development restrictions may be imposed if any contamination is discovered. Completed.

C(4). Floodplains

- a. All habitable structures and access roadways shall be constructed above the 100-year flood elevation.
- b. Compensation for the loss of 100-year flood storage capacity shall be provided through cut and fill balance calculation and further confirmed by the no-rise certification procedure.
- c. All homeowner documents, real estate disclosure forms, deeds of sale or lease agreements for land or structures in the post development 100-year flood plain on the project site of Heritage Harbour, shall be accompanied by a hazard disclosure statement generally describing the property's relative probability of damage from coastal and fresh water flooding. This disclosure shall also list potential mitigation strategies including elevation, construction of safe rooms, window protection (shutters/security film), where the builder has exceeded coastal construction codes and other potential measures to increase safety.
- d. The applicant shall meet or exceed all appropriate federal, state, and local construction codes, setback requirements, and flood plain management regulations.
- e. All infrastructure, including gravity sewer, lift stations, service cleanouts, and manhole rims shall be set at 12 inches above the 25-year floodplain or 4 inches above the 100-year floodplain.
- f. Adequate maintenance easements shall be provided on Cypress Strand (major drain). Prior to dedication, the creek embankment, excluding areas remaining in their natural states, shall be stabilized through seeding, sodding, and rip rap. The Engineer shall provide as-built typical sections for the purpose of maintenance. Any alteration to the creek shall not cause a rise in the FEMA 100-year flood elevation.

C(5). Soils

- a. Best Management Practices shall be employed during site preparation and construction to prevent soil erosion.

C(6). Manatee Protection

- a. Prior to any marina construction, the developer shall prepare a Manatee Protection Plan. The Plan shall be approved by the Florida Fish and Wildlife Conservation Commission, the Southwest Florida Water Management District, and Manatee County Natural Resources Department. The following elements shall be included:
 - 1. The Developer shall comply with all standard FWCC manatee construction conditions for all in-water construction.

2. A manatee education program shall be developed and implemented for all slip lessees.
 3. A navigation channel shall be designated and marked with U.S. Coast Guard approved markers from the marina downstream to the I-75 Bridge prior to occupying any wet slips. The Developer shall be responsible for posting and maintaining the markers for the established channel in perpetuity, unless the Developer* obtains a commitment for posting and/or maintenance by an appropriate governmental agency. The Developer shall be responsible for posting and maintaining the markers from its marina to the designated main river channel in perpetuity, unless otherwise posted or maintained by an appropriate governmental agency.
 4. A sign will be installed and maintained at the facility for boaters traveling to the Manatee River. The sign shall notify boaters of the controlling depth of the river, and request that boaters stay in the marked channel.
 5. The use of the boat ramp shall be limited to lessees/owners of slips at the docking facility.
 6. The maximum draft, including propeller(s) for vessels associated with this project shall be 2.5 feet or as otherwise approved through the permitting process. This requirement shall be posted at the marina and included in all homeowner's documents, real estate disclosure forms, deeds of sale, or lease agreements for land or structures.
 7. Before commencement of the dry storage and boat lift, a speed zone from the I-75 Bridge to the vicinity of the east line of Section 16, Township 34 South, Range 19 East, shall be established by local ordinance and posted. The main marked channel shall be regulated at a speed, or speeds, as determined from public hearings and passing of an ordinance by the Manatee County Commission, with all other waters regulated as slow speed, minimum wake as applicable per Manatee County regulations. The Developer shall be responsible for posting and maintaining the established speed zone markers/buoys in the designated areas unless the Developer* obtains a commitment for posting and maintenance by an appropriate governmental agency.
 8. The Developer shall assist in the enforcement of the speed zone, once, established. It shall be a term of the lease of any slip that violations of the speed zone ordinance may result in the revocation of the lease. An employee will be responsible for issuing warnings to lessees who are violating the speed zone. This person will also be responsible for a revocation process of the leased slip for individuals who are cited for violating the speed zone ordinance and pay a fine or are found guilty of violating the ordinance by a court of competent jurisdiction. (Completed)
- b. Except for docks whose sole purpose is to provide access to nature parks or picnic areas, and excluding specifically docks for individual or multiple single family use, the only docks on the site shall be at the marina if the marina is permitted.
 - c. The total number of boat slips allowed for this development in perpetuity shall not exceed 462. The first phase shall consist of up to a maximum of 162 wet slips and boat ramp. The second phase shall consist of up to a maximum of 300 dry slips. The second phase shall not be initiated until two years after the first phase has been completed.

D. ARCHAEOLOGICAL AND HISTORICAL RESOURCES.

D(1). The discovery of any significant historical or archaeological resources shall be reported to the

Florida Division of Historical Resources and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County in accordance with Rule Chapter 9J-2 FAC.

Archaeological test excavations by a professional archaeologist shall be conducted on each such site to provide sufficient data to make a determination of significance prior to the commencement of ground-disturbing activities at the site. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County*. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource-disturbing activities are allowed to continue.

E. WASTEWATER MANAGEMENT

E(1) The Certificate of Level of Service for wastewater must be obtained with each Final Site Plan.

F. WATER SUPPLY

F(1) The Certificate of Level of Service for water must be obtained with each Final Site Plan.

F(2) The developer shall use non-potable water, stormwater, reclaimed water (when available) for irrigation of landscaping. When available, the applicant shall use reclaimed water or another alternative source (other than the Floridan aquifer) for tee areas, fairways, greens, and common areas. Irrigation systems shall be designed, installed, and operated for maximum water use efficiency and be developed by an irrigation contractor licensed or certified by the State of Florida. The irrigation system shall include the following:

- (a) Irrigation zones with differing water requirements such as putting greens, tees, fairways, and common areas shall be irrigated separately.
- (b) Low-volume irrigation system components shall be used to the maximum extent possible.
- (c) High-frequency irrigation areas shall be limited to tees and greens.
- (d) The irrigation system shall include rain sensors with automatic rain shutoff devices which shall be installed on each controller within the irrigation system.
- (e) Maintenance of the irrigation system will include resetting the automatic controllers according to the season and checking, adjusting, and repairing irrigation devices to ensure optimum operating efficiency.

F(3). For the purpose of potable or reclaimed water conservation, utilization of Xeriscape landscaping principles shall be incorporated into the golf course design and other landscape areas which shall include ecologically viable portions of the site's existing native vegetation. Xeriscaped areas shall not be irrigated.

F(4). The applicant shall use the lowest quality of water available for irrigation purposes. Consideration shall be given to meeting the irrigation needs of the project with the following sources, in order of preference; (1) treated wastewater, (2) treated stormwater; (3) non-potable quality groundwater. Prior to each Final Site Plan approval, the developer shall identify the irrigation source which will be utilized. When it becomes available from Manatee County, Heritage Harbour shall connect to the County's wastewater reuse system. All wells no longer needed for irrigation purposes shall be properly abandoned except for such wells as may be needed for emergency purposes.

F(5). Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).

F(6). For the purpose of potable water conservation, installation of high-efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices shall be required. The water conservation fixtures and measures (low water use toilets, shower heads and other plumbing fixtures) referenced in the ADA shall be required.

F(7). The Developer* shall maintain all water lines and fire hydrants not dedicated to the County.

F(8). All irrigation wells which are not proposed for use (about 30) or are not needed for emergency purposes shall be properly sealed and abandoned prior to commencement of development in the areas where the wells are located. Additionally, an appropriately located irrigation well or wells as approved by Water Management District staff shall be tested annually for salinity.

G. SOLID/HAZARDOUS WASTE/MEDICAL WASTE

G(1) The County has determined that there exists adequate solid waste capacity to accommodate the impacts of the Project*. The Certificate of Level of Service shall be valid until November 21, 2024.

G(2) In the event that hazardous materials or medical waste are located on the site, they shall be handled in a manner consistent with applicable Federal, State, and Local regulations.

H. ENERGY

H(1) The developer shall use xeriscape landscaping wherever possible to reduce both water and energy consumption.

I. RECREATION AND OPEN SPACE

I(1) The Project shall contain, at a minimum, 893.9 acres of open space. The property designated for recreation purposes shall include a 37.0 acre community park open to the public, a 4.2 acre private neighborhood park, a, 250.0 acres of golf, and 5 2- acres of usable recreational area in Parcel 35.

The usable park area in Parcel 35 shall be provided as follows:

- a. Parcel 35 shall contain a 2-acre useable recreational area. unless a suitable alternative is approved by the Building & Development Services Director with the Final Site Plan.
- b. .The size, location, and configuration of each pocket park shall be approved by Manatee County with each Final Site Plan and shall generally be a minimum of 1 acre. Each pocket park may include shade trees, playgrounds, seating, water fountains, shade structures, open play areas, picnic areas with pavilions, tables, and grills, or other demographically appropriate recreation amenities/facilities as approved by the Building & Development Services Department at time of FSP approval. Pocket parks may be reduced to a minimum of ¼ acre provided the applicant can demonstrate to the satisfaction of the Building & Development Services Department that sufficient land areas are provided to accommodate the recreational uses.
- c. Acreage for trails and greenways may count towards the acreage specified above. For any trails not located within a recreation area/park, the trail shall be calculated as 3 times the width times the length of the trail.

- d. Lakes, wetlands, and other water features may be partially or completely included in the recreation open space acreage provided they include recreation amenities such as fishing/observation piers, boardwalks, canoe/kayak/boat launches, swimming, or other water related amenities. Acreage for the structures shall be calculated at 3 times the area of the recreation amenity structure itself (ie: the footprint of a fishing/observation pier) but shall not include the acreage of the entire water body unless the water body is designed to allow swimming.
- I(2) The Developer or HOA shall be responsible for the maintenance of all recreation and open space areas within the project site not dedicated to the County.
 - I(3) A system of bicycle and pedestrian trails shall be developed to link the residential, commercial and recreational areas. If bicycle trails are combined with the required sidewalk system, then it shall be designed and constructed with a minimum width of 8 feet. If it is not combined with the sidewalk, then a 4 foot wide lane shall be provided on each side of the roadway. Prior to the first residential subphase south of the Port Harbour Parkway and the first residential subphase north of Port Harbour Parkway a comprehensive pedestrian/bicycle plan for each side of Port Harbour Parkway shall be submitted and approved by Manatee County. Completed. Prior to the first Preliminary Site Plan approval for Parcel 35, the plan shall be amended to include Parcel 35.
 - I(4) If the golf course is not developed prior to the adjacent residential development, the residential site plans and plats shall accommodate the proposed golf courses. Prior to the 3rd annual report after the first Final Plat or Certificate of Occupancy, whichever occurs first, an eighteen hole golf course shall be completed and open for play. If this is not completed, no further site plan approvals for the project shall be granted. Completed.
 - I(6) Each subphase, other than Parcel 16, with lots less than 6,500 square feet shall contain a neighborhood park at least 20,000 square feet in size.

J. PUBLIC SAFETY.

- J(1). The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, equipping, and staffing of emergency service facilities for police and fire services or any combination thereof. The Developer* may, with the concurrence of the County, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County or payment of impact fees, as allowed by the Land Development Code, if applicable. An agreement as to pro-rata share for each Phase*, mutually acceptable to the County and the Developer shall be reached prior to the issuance of the first Final Site Plan or Final Plat for Vertical Development for Phase 2*. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. (Completed).

K. HURRICANE PREPAREDNESS

- K(1) The applicant/developer shall promote awareness of hurricane/flooding hazard, preparedness and hazard mitigation through public information, neighborhood association newsletters, model homes, commercial/office buildings, etc.
- K(2) . The applicant shall meet or exceed all appropriate federal, state, and local construction codes, setback requirements, and flood plain management regulations recognizing the vulnerability of

this site to fresh water flooding and tropical storms and hurricanes.

- K(3) Prior to the first Final Site Plan for a site located either completely or partially within the Coastal Planning Area, as identified in the Comprehensive Plan, the applicant shall develop a master plan for evacuation and recovery to ensure the safe and orderly evacuation of vulnerable residents, hotel guests, and employees after an official evacuation order is issued. This plan shall include such provisions as, but not be limited to: (1) ordering all buildings in the evacuated areas closed for the duration of a hurricane evacuation order; (2) informing all residents, guests and employees of evacuation routes out of the flood prone area and measures to be followed in the event of same; and (3) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation and re-entry/recovery plans. This plan shall be submitted to the State Land Planning Agency and the County for review and approval before approval of a Final Site Plan for habitable construction within the Coastal Planning Area. State Land Planning Agency shall have 45 days to comment on this plan. (Completed and attached as Exhibit 13).
- K(4) Prior to the first Final Site Plan approval for any site located either completely or partially within the Coastal Planning Area for habitable construction, the applicant shall develop a master plan for mitigating the project's impacts on emergency public shelters consistent with the requirements of Rule 9J-2.0256, FAC. These measures may include, but not be limited to; construction of shelter space in accordance with ARC 4496 shelter standards; payment in lieu of construction; and /or participation in the upgrading of existing shelter space. The plan shall be submitted to the State Land Planning Agency and the County for review and approval before approval of a Final Site Plan for habitable construction. State Land Planning Agency shall have 45 days to comment on this plan. (Completed and attached as Exhibit 13).
- K(5) Notwithstanding the ability to exchange among residential unit types, per the Land Use Equivalency, no increase in multi-family or single-family semi-detached units shall be permitted in the CHHA (Coastal High Hazard Area).

L. EDUCATION

- L(1). The Developer* shall mitigate potential school impacts by making a payment of \$825,000.00 to the School Board, upon request (which represents a cost of \$35,000.00 per acre) with a three percent (3%) adjustment per year for five years. Request for payment shall be made no earlier than the date of the issuance of the first residential Certificate of Occupancy. Payment shall be made within 30 days of request. (Completed)
- L.(2) The Developer* shall fund the cost of a sidewalk from the school board property line (adjacent to the student drop off area within Heritage Harbour) to Haile Middle School and a shelter adjacent to the drop off area, upon the request of the School Board. (Completed)
- L.(3) The development was previously approved for 5,000 dwelling units with 1,421 total projected students. Any dwelling units added to the project through a Land Use Equivalency Matrix conversion shall be subject to review and approval of a new School Concurrency Analysis and issuance of a Certificate of Level of Service for Educational Facilities.
- L(4) The Land Use Equivalency Matrix (LUEM) Exhibits 15 and 17 do not apply to school reviews.

N. AFFORDABLE HOUSING

- N(1). An assessment of the potential affordable housing impacts of the Project was performed as

part of the 2008 NOPC (Ordinance 08-33). The Developer* recognizes that the statutory rules require an assessment of “affordable housing”, however the TBRPC and Manatee County recognize that the potential deficit is in the area of “essential worker” or “workforce” housing as such terms are defined by the TBRPC and the Manatee County Land Development Code, respectively. Lennar Homes, LCC, per their agreement with the TBRPC, shall implement the following:

- a. 245 units shall qualify upon the first sale to an end user as workforce housing as defined by Manatee County Land Development Code. The sales price for such units shall be determined to qualify as workforce housing after excluding upgrades and options from the price. The maximum sales price for the workforce housing units shall be based upon current workforce sales price as established by the methodology in the Manatee County Land Development Code and may be modified each year as determined by Manatee County.
- b. The Developer* shall receive a 1:1 credit for all such qualifying units built within Phase I or II from January 1, 2004 to ~~December 30, 2017~~ November 20, 2024_(project build out).
- c. Should the Developer* not provide the required number of affordable units, mitigation in the form of \$2,000 per affordable unit not built shall be paid into the Affordable Housing Trust Fund prior to Final Site Plan approval for the 1,500th residential unit in Phase II or last residential subphase, whichever comes first.

Prior to the first Final Site Plan approval for residential development, the developer shall deposit into an escrow account, post a letter of credit or bond, in a form acceptable to Manatee County, to secure the payment for the number of unbuilt units, in the amount of \$490,000. The escrowed funds shall be refunded to the developer or the bond or letter of credit released as each workforce unit is constructed.

- d. As a means to monitor the progress, the applicant shall provide an accounting of the number of units that have been provided to date in each Biennial Report. **[Required units have been constructed in compliance with this condition. Condition is no longer applicable]**

O. GENERAL CONDITIONS

O(1) Non-Residential

a. Building Appearance

All building facades shall exhibit an aesthetically attractive appearance. Buildings visible from I-75 and State Road 64 shall have their primary facade orientation toward these roadways, unless adequate buffering and screening is provided. The Developer may meet the intent of this condition by buffering and screening to be reviewed and approved by the Building and Development Services Department. Design shall be subject to the following criteria and reviewed for compliance by staff with future Final Site Plan submittals.

1. The sides of all buildings shall have minimal blank walls no longer than 40 feet in length or 20' in height. In order to insure that the buildings do not project a massive blank wall, design elements shall include prominently visible architectural details [e.g. bump-outs, reveals and projecting ribs, cornice, offset building planes, windows, shutters, areas of contrasting or different finish building materials, etc.] or other methods, as approved by the Building and Development Services Director. Facades greater than 100 feet in length

shall have varying roof lines through varying the height of the cornice, or the use of 2 or more roof types (parapet, dormers, and sloped, etc.).

2. Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, split face block, glass, stucco, ceramic tile, stone, wood, or similar materials. Painted or exposed concrete block, corrugated metal, or tilt up precast slabs shall not be permitted. Architectural metals in conjunction with other permitted building materials shall be allowed, provided that at least fifty percent (50%) of the building face is constructed from other permitted materials.
3. All rooftop mechanical equipment shall be screened from view from I-75, State Road 64, internal collector streets as shown on the GDP, and adjacent properties. Screening shall be provided by materials consistent with the building.

b. Service Areas

1. All truck loading, service areas, outside storage, and parking of heavy equipment, semi-trucks or trailers, or other vehicles over 1-1/2 tons shall not be located between the building and I-75, State Road 64, or any internal collector street as shown on the GDP, or on any side of a building which is prominently visible to referenced roadways. This requirement may be modified by the Building and Development Services Department in cases where the developer meets the intent of the condition when adequate buffering and screening is provided.
2. Trash and garbage receptacles shall be screened with materials similar to the adjacent building facade.

c. Parcel 20 Development Restrictions:

1. All buildings, loading and service areas shall maintain a minimum setback of 200 feet from Parcel 16. Buildings within 500 feet of Parcel 16 shall not exceed 25 feet in height. Buildings within 100 feet of I-75 or State Road 64 shall not exceed 25 feet in height, except for hotels, and office buildings, which shall comply with the minimum front yard setback specified on the GDP, plus 25 feet for each story over 2. This height restriction does not apply to architectural or design features used for building entrances and which are required to achieve compliance with Condition O(1).a.3 above.
2. A fifty foot landscape buffer shall be located along the southwest side of the 66 acre lake adjacent to Parcel 20. Existing native trees within this buffer shall be preserved, unless removal is required to accommodate the reconfiguration of the lake. Additional canopy trees, meeting the requirements of 715.4.B, shall be required where existing trees do not provide continuous screening of the commercial site from Parcels 16 and 18. A wall or hedge, to be a minimum height of at least 6 feet above the finished floor elevation of the proposed building, shall be installed prior to issuance of the first Certificate of Occupancy for any commercial building, parking, loading or service area constructed within 300 feet of the lake.

Residential, hotels, offices and restaurant facilities, which are oriented to the lake and designed to enjoy lake views, shall be exempt from the requirement to maintain a 50 foot setback and install a wall or a hedge.

3. Prior to the issuance of a Certificate of Occupancy for any building which individually or

cumulatively exceeds 250,000 square feet for the parcel, or 100 residential units, the access street which goes to the north through Parcel 16 shall be constructed to Port Harbour Parkway. Port Harbour Parkway shall link to an internal collector road, as shown on the GDP, within the development. Port Harbour Parkway shall be constructed from the northern terminus of Kay Road to this access prior to the issuance of a Certificate of Occupancy for any building which individually or cumulatively exceeds 350,000 square feet for the parcel.

4. If multi-family is located within Parcel 20, it shall be located so that traffic from commercial development on this parcel to State Road 64 is not required to pass the multi-family development. All multi-family buildings shall maintain a minimum setback of 75 feet from any commercial building or its associated loading or service area.
5. The preservation of significant trees or tree clusters within the temperate hardwood area adjacent to State Road 64 shall be a condition of Preliminary and Final Site Plan approvals. Sufficient area and protection around the trees, as determined by a registered Landscape Architect, shall be provided to reasonably guarantee their survival. Removal shall be based on impacts resulting from unavoidable required grade changes.
6. Land Uses in Parcel 20 shall be allowable uses within the PDMU district as identified in the Manatee County Land Development Code as of the date of the adopting PDMU Zoning Ordinance with the exception of the manufacturing, flea markets, junkyards, manufactured home parks, and warehousing.

d. Parcels 17 and 19 Development Restrictions

1. Buildings in Parcel 17 shall be limited to a maximum height of 3 stories. Commercial uses in Parcel 17 shall be limited to neighborhood commercial uses in a neo-traditional design.
2. Land Uses in Parcel 19 shall be allowable uses within the PDMU district as identified in the Manatee County Land Development Code as of the date of the adopting PDMU Zoning Ordinance with the exception of manufacturing, flea markets, junkyards, manufactured homes parks, and warehousing. All multi-family buildings shall maintain a minimum setback of 75 feet from any commercial building or its associated loading or service area.

e. Parcels 19 and 20 Development Restrictions

1. Allowable land uses and square footage can transfer between parcels 19 & 20 subject to a land use equivalency matrix shown as Exhibit 15.

f. Parcels 19-27 Buffering

1. A 20 foot wide landscape buffer shall be provided along the frontage of all street shown on the GDP for Parcels 19-27, regardless of whether the site is located within the entranceway. The street frontage buffer for Parcel 20 along I-75 and State Road 64 shall be increased to 30 feet in width. Should a frontage road be provided along I-75 or State Road 64, then the Developer* shall have the option of providing a 20 foot wide buffer on each side of the frontage road. Required canopy trees within the I-75 and SR 64 buffer shall be a minimum size of 12 feet in height and a 4 inch caliper at time of planting.

2. A 25 foot wide buffer with a 3 foot high berm shall be provided along the east side of Parcel 26. Prior to any Temporary or Certificate of Occupancy:
 - A 6 foot opaque fence or wall shall be installed on top of the berm east of all loading and service areas;
 - A hedge, to be at least 6 feet at maturity, shall be planted on the berm along the entire eastern boundary of the site and on the outside of the fence or wall; and
 - A row of 3 inch caliper canopy trees spaced 30 feet apart shall be planted along the entire eastern boundary.

O(2) Residential

- a. The maximum number of residential units per Parcel shall be limited to the numbers indicated in the Land Use Table on the General Development Plan. With each preliminary plan submitted, a Residential Sector Data Table shall be provided to include the number of units and unit type that have Final Site Plan approval in the Phase*
- b. Residential development (Except for Parcel 35) shall comply with the following dimensional standards:

| TYPE | MINIMUM LOT SIZE (Sq.Ft.) | MINIMUM LOT WIDTH | FRONT SETBACK (ft.) | SIDE SETBACK (ft.) | REAR SETBACK (ft.) |
|------------------------|---------------------------|--------------------|---------------------|-----------------------|--------------------|
| SFD ⁵ | 6,500 SF ² | 55 FT ² | 20/15 ¹ | 7 ² | 15 |
| SFA ^{5,8-7} | 2,500/3,500 SF | 25/35 FT | 20/15 ¹ | 0/10 ⁶ | 15 |
| SFSD ⁵ | 3,850 SF | 35 | 20/15 ¹ | 0/7.5 | 15 |
| Duplex ⁵ | 7,800 SF | 70 | 20/15 ¹ | 7.5 | 15 |
| Multi-fam ⁴ | | | 25 | 15/40/50 ³ | 15 |

1. Front setback for units with side entry garages
2. A maximum of 30% of the lots in each phase* may be reduced to a minimum lot area of 4,000 square feet, lot width of 40 feet, and side yard setback of 6 feet. These smaller lots shall be contained within a parcel or subphase of a parcel that is separated from other single-family detached unit parcels by a minimum separation width of 25 feet, exclusive of lot areas.
3. This distance is not a side yard setback, but the minimum distance between buildings. A 15' separation is required between one-story buildings, a 25' between two-story, 40' between 3-story, and 50' between 4-story buildings.
4. Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels.
5. All duplexes and single-family residences shall be provided with a minimum of a one car garage for each dwelling unit.
6. Applied to end units.
7. .

7. The lot width for SFA in Parcel 17 may be 20' with a minimum lot size of 2000'

Dimensional Standards for Parcel 35

| TYPE | MINIMUM LOT SIZE (Sq.Ft.) | MINIMUM LOT WIDTH | FRONT SETBACK (ft.) | SIDE SETBACK (ft.) | REAR SETBACK (ft.) |
|------|---------------------------|-------------------|---------------------|--------------------|--------------------|
|------|---------------------------|-------------------|---------------------|--------------------|--------------------|

| | | | | | |
|---------------------|----------------|----------|--------------------|--------------------------|----|
| SFD ⁴ | 6,500 SF | 52 FT | 20/15 ¹ | 5 | 15 |
| SFA ⁴ | 2,500/3,500 SF | 25/35 FT | 20/15 ¹ | 0/10 ⁵ | 15 |
| SFSD ⁴ | 3,850 SF | 35 | 20/15 ¹ | 0/7.5 | 15 |
| Duplex ⁴ | 7,800 SF | 70 | 20/15 ¹ | 7.5 | 15 |
| Multi-fam | | | 25 | 15/25/40/50 ² | 15 |

1. Front setback for units with side entry garages
 2. This distance is not a side yard setback, but the minimum distance between buildings. A 15' separation is required between one-story buildings, a 25' between two-story, 40' between 3-story, and 50' between 4-story buildings.
 3. Single- and two-story multi-family buildings shall maintain a minimum setback of 50 feet from single-family residential development parcels. Multi-family buildings which are three or more stories shall maintain a minimum setback of 100 feet from single-family residential development parcels. ~~The minimum separation between multi-family and single-family development parcels may be reduced by the Planning Director if determined that the design, including screening and buffering, is appropriate.~~
 4. All duplexes and single-family residences shall be provided with a minimum of a one car garage for each dwelling unit.
 5. Applied to end units.
- c. Residential development in each parcel shall maintain consistency in unit type and size, unless otherwise specified above in Condition O.(2) b, footnote 2 or in Stipulation O(2).h.i, and j below, except for development on Parcel 35.
- d. Single-family detached, attached, semi-detached, duplex and multi-family dwellings shall be as defined in the Land Development Code. No other uses shall be permitted within these land use categories identified on the General Development Plan, with the exception of permitted home occupation, family day care homes and family care homes. Duplex units may be permitted in single-family semi-detached or attached categories.
- e. All residential dwelling units, except multi-family units, shall contain a minimum floor area of 1,200 square feet.
- f. Multi-family building restrictions (Parcels 2A, 2B, 7B, and 10B and 13)
1. Parcel 12/13 shall be developed with single-family detached lots.
 2. Parcels 2A, 2B, 7B, and 10B Tree Plantings
 - (a) At least 1 year prior to Final Site Plan approval and 2 years prior to submittal of any building permit for a multi-story building for Parcels 2A, 2B, 7B and 10B, additional tree plantings between the Manatee River and referenced parcels (Exhibit 11) shall be completed and certified to the Building and Development Services Department by a landscape architect. Prior to planting, the Developer* shall remove all nuisance and exotic vegetation from this buffer. The Developer* shall submit tree planting plans for review and approval by the Building and Development Services Department prior to implementation and shall certify when complete. The plantings shall consist of a double row of trees consisting of at least 60 percent canopy trees and have a minimum caliper of 4 inches at planting. Tree species shall be based upon site

conditions needed to sufficiently screen the future buildings. Trees for each row shall be staggered and spacing within each row shall maintain a maximum distance of 40 feet.(Completed)

(b) Prior to Final Site Plan approval, a Florida Registered Landscape Architect shall certify that all the trees have survived and sustained normal growth patterns. Trees which have not shall be replaced with enhanced tree sizes to make up the loss in growth time.

(c) Prior to the issuance of the first building permit and Certificate of Occupancy for a multi-family building in each parcel, a Florida Registered Landscape Architect shall re-certify that all the trees have survived and sustained normal growth patterns. Trees which have not shall be replaced with enhanced tree sizes to make up the loss in growth time.

g. Multi-family building restrictions (Parcels 23 and 24)

1. Multi-family buildings shall maintain a 75 foot setback from any commercial building or its associated loading or service area. This setback shall not be required if multi-family and commercial development are vertically mixed.
2. Multi-family development shall provide a minimum buffer of 50 feet along State Road 64. Buildings within 75 feet of State Road 64 or any roadway shown on the GDP shall not exceed 3 stories.

h. Multi-family buildings in Parcel 32 shall be limited to two stories and 210' and 165' in length, provided no more than 2 buildings in a row shall exceed 165' in length. The street frontage buffer shall be at least 25 feet wide and contain a 3 foot high berm (measured from the property line) with a 6 foot continuous hedge at maturity. Trees within the buffer shall be spaced 40 feet on center and be at least 3 inch caliper at time of planting.

i. The following conditions shall apply to all residential development in Parcels 15A, 15B, 16, and 20:

1. No residential development shall be allowed between the L10 70 dB(A) noise level contour and I-75, unless such residences are protected by some performance equivalent measure to achieve the L10 70 dB(A) exterior noise level. These restricted areas are identified within the Noise Study completed by the applicant and attached as Exhibit 9.
2. The buffer along I-75 in Parcels 15A, 15B, and 16, as shown on the General Development Plan, shall be maintained.

Native trees and vegetation within the mixed wetland hardwood and temperate hardwood areas located in Parcel 15A shall be preserved, unless removal is required to implement improvements to Cypress Creek or to remove trees in accordance with Sections 714.2.2.8 or 9 of the Land Development Code. Additional canopy trees shall be planted within the buffer area outside the flow way that is substantially void of trees.

A minimum of five acres of the Pine flatwoods in or adjacent to Parcels 1 or 15A shall be preserved and incorporated as open space.

3. All residential development in Parcel 16 adjacent to the Parcel 20 commercial access

road to Port Harbour Parkway shall be designed as reverse frontage in accordance with the requirements of Section 907.7.4 of the Land Development Code.

4. Multi-family development on western portion of Parcel 16 may be permitted only if all of the following criteria is met:

- (a) The multi-family parcel is separated from the single-family residential parcel in Parcel 16 by a road right-of-way of at least 50 feet in width. This right-of-way shall maintain a minimum setback of 20 feet from existing all single-family lots in Lighthouse Cove.
- (b) A 20 foot wide buffer along the western boundary of the multi-family tract shall be provided and screened pursuant to Figure 715.C.
- (c) The closest multi-family buildings shall maintain a minimum setback of 150 feet from a single-family lot in Lighthouse Cove.
- (d) Multi-family buildings in Parcel 16 shall be limited to 2 stories in height.

j. Parcel 35

1. Lots along the southern boundary of Parcel 35, within 1,200 feet of Upper Manatee River Road, shall be limited to single-family detached residences. The landscape buffer shall be 15 feet wide and shall be planted in accordance with LDC Section 701.3.B.c.ii. No planting shall be required in the 15' buffer adjacent to off-site conservation easements.
2. Construction traffic for Parcel 35 shall not utilize the existing Stoneybrook roads in Parcel 31. Signs to this effect shall be posted at both inter-neighborhood tie locations exiting Parcel 35 and all entrances into Parcel 31. The developer shall include these provisions in all construction contracts.
3. Parcel 35 is approved for residential dwelling units ranging from 735 to 1,400, subject to the cumulative development limitations of the DRI. Per the Amended and Restated LDA dated August 12, 2014, certain unused DRI entitlements from other portions of the project may be available for use on Parcel 35 over time, and compliance with such LDA provisions shall be required at the time of PSP or FSP approval, as applicable. Dwelling units may be converted to other uses pursuant to the Land Use Equivalency Matrix (Exhibit 17). Upon utilization of the Land Use Equivalency Matrix, the applicant shall provide a table on the FSP indicating the exchange of units or square footage and corresponding increase or decrease of total unit counts and square footage by land use type. Development minimums and maximums for Parcel 35 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 17 of this Development Order.
4. Group Care Facilities: The primary licensing agency for group care facilities (ALF's, Hospices, etc.) is the Agency for Health Care Administration (AHCA), 2727 Mahan Dr. Tallahassee, FL 32308, (888) 419-3456. Their inspection and approval is required. As a part of the AHCA licensing process the Department of Health performs a health and sanitation

inspection, and a food hygiene certification. All requirements of chapter 64E-12 and 64E-11, Florida Administrative Code shall be met prior to approval and licensure. Prior to construction, plans of the facility and its operation shall be submitted to and by the FL Department of Health – Manatee County. Plans may be submitted by the owner, approved prospective operator or their designated representative. All plans shall comply with the requirements of this chapter. Contact Barbara Will at (941) 714-7585 for plan review information.

5. Connection to the County wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the construction plans review process for the project.

k. Parcel 1/5

The existing landscape buffer, exclusive of the nuisance exotic species, along the western property boundary shall be preserved.

Single-family attached units shall be limited to 1 story and maintain a setback of 300 feet from the western property boundary.

l. Inter-neighborhood ties/Access

1. Prior to Final Plat (or Final Site Plan if platting is not required) approval for Parcel 13 or 14, an inter-neighborhood pedestrian tie (by common easement or right-of-way), shall be provided from Parcel 13 or 14 to the property to the east to connect to the required Pedestrian tie in PDR-97-12(Z)(G) – Waterlefe.
2. Prior to the Final Plat (or Final Site Plan if platting is not required) approval for any portion of Parcel 31 located adjacent to the vacant parcel between Waterlefe and Greenfield Plantation subdivisions, an inter-neighborhood pedestrian (or roadway if streets are public in Parcel 31) tie shall be constructed (or bonded) to the east. This tie shall be shown on all future Preliminary and Final Site Plan approvals and noted in all homeowners documents and disclosure statements. (Completed)
3. Prior to Final Plat (or Final Site Plan if platting is not required) approval for any portion of Parcel 31 south of the northern boundary of Haile Middle School, an inter-neighborhood pedestrian tie (by common easement or right-of-way) or street, shall be provided to the Haile Middle School site. If a street is not provided, then the developer shall facilitate a vehicular area adjacent to the school site to facilitate student drop-off and pick-up. The specific location and design shall be subject to approval by the School Board staff and the Building and Development Services Department. To facilitate the purpose of this condition, all streets within Parcel 31 shall be open to the public from 7:00 to 9:00 a.m. and from 2:00 to 5:30 p.m. while school is in session. This requirement shall be noted in all homeowner's documents and disclosure statements within the project. If a guard gate or sign is utilized which identifies the streets or Parcel 31 as being private, then there shall be accompanied verbiage, visible from the street, that the roads are open to the

public during the above referenced school hours.

4. Inter-neighborhood ties between parcels internal to the project shall be determined at time of Preliminary Site Plan approval.
5. The required second means of access for each portion of the project shall be provided pursuant to Section 712.2.8 of the Land Development Code. Access pursuant to Diagram A, Number 3 may be used provided that the number of units in the portion of the project in which this access serves does not exceed 600 dwelling units.

m. Buffers

1. A 50 foot wide buffer shall be provided between Parcel 31 and SR 64. Enhanced landscaping, including trees, berms, and golf course shall be provided within the buffer.
 2. A 25 foot greenbelt shall be located between all residential development and the 330 foot wide FP&L easement. All building setbacks shall be measured from this greenbelt.
- n. The Homeowner's Documents for Stoneybrook Southeast (Parcels 31 and 32) shall include notices to inform homeowner's of that a portion of Parcel 32 will include two story multi-family residences in accordance with Condition N.(2)h.
- o. ACLF (Group Care) uses shall be permitted only in the parcels specifically identified in the Land Use Table of the General Development Plan.
- p. Multi-family buildings in Parcels 3, 4, 7A, 8, and 10A shall be limited to 3 stories and 35' in height.

O(3) Signage

- a. One freestanding pole sign, in compliance with Section 737.5.3.3 shall be allowed per frontage for Parcels 25 and 27. Any additional signs that may be permitted along State 64, 1-75, or along any other street frontage shall be limited to ground signs, in compliance with Section 737.5.3.3.
- b. A project identification sign located at the project's westernmost entrance may contain a maximum sign area of 200 square feet (constructed on Parcel 23). The sign shall maintain a minimum setback of 125 feet from State Road 64 and a minimum distance of 500 feet from the pole sign along State Road 64 in Parcel 20. The design of the sign and surrounding wetland and water features shall be consistent with plan and elevation in Exhibit 5.
- c. Signage on Parcels 19 and 20 will be consistent with the signage plan attached hereto as Exhibit 16. All signage on Parcels 19 and 20 for the Heritage Harbour DRI shall be permitted as shown on the attached sign plan and key legend, Exhibit 16. No signs shall be permitted within the public right-of-way. Signage shall be placed so it does not conflict with vehicular clear zones, FDOT indices and clear zone requirements shall be met.

O(4) Lighting

- a. All lighting shall comply with Section 709 of the Land Development Code.

O(5) Notice to Buyers

The Notice to Buyers or Tenants 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 informing prospective homeowners of the following:

- a. The Hurricane Evacuation Plan is approved by the Public Safety Department for this project. The applicant and their heirs, assigns, or transferees are hereby notified that a payment of an impact fee for emergency shelter facilities shall be required if such impact fee is adopted by the Board of County Commissioners.
- b. Port Harbour Parkway is planned as a 4-lane thoroughfare roadway and Upper Manatee River Road is planned as a 6-lane thoroughfare roadway and residents may experience increase noise impacts.
- c. Upper Manatee River Road is planned to bridge over the Manatee River.

DEFINITIONS.

Note: An asterisk (*) in the text of this Ordinance denotes that the word is defined

- A. "Acceptable Level of Service" shall, for links and intersections in Manatee County, Florida, mean Level of Service "C" on an average daily basis, or "D" on a peak hour basis, as provided in the Land Development Code. Level of Service "D" shall be measured on a peak hour basis as determined by the Highway Capacity Manual (1994), TRB Special Report 209 or the most current manual and computer software version in accordance with guidelines acceptable to Manatee County. Level of Service "C" capacity on an average daily basis shall be calculated either as 10 times the peak hour Level of Service "D" capacity, or if actual data is available to determine the "K" factor (please refer to the Florida Department of Transportation Planning and Statistics Department), then on the basis of the "K" factor.
- B. "Application" and "Application for Development Approval" or "ADA" shall mean Heritage Sound's DRI ADA submitted on October 30, 1998 and sufficiency responses submitted on March 25, 1999 and May 19, 1999, and the response to the second sufficiency comments dated May 17, 1999 and submitted on May 19, 1999, and the NOPC submitted on March 4, 2002 and amended on October 4, 2002 and December 17, 2002, and the NOPC submitted on June 29, 2004, and amended on December 21, 2004, September 27, 2005, May 5, 2006, August 8, 2006, and November 27, 2006, January 3, 2008, February 7, 2008, and March 11, 2008, the NOPC submitted on October 19, 2009 and the application for an amendment to the development order submitted on XX attached as Exhibit 4.
- C. "Best Management Practices" shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code.
- CC. "Community Support Facility" shall mean a master irrigation and communication facility and accessory uses designed to serve this project and adjacent areas as required by Manatee County.
- D. "Concurrent" shall mean that public facilities and services are available within a "reasonable time frame", as defined in the Manatee County Comprehensive Plan, to serve/mitigate the Development's* impacts. A reasonable time frame for transportation facilities shall be roadways or roadway improvements that are scheduled for construction completion within the first two years of the Manatee County Comprehensive Plan Capital Improvements Element, or roadways or roadway improvements currently under construction or scheduled for construction completion within the first two years of FDOT's Adopted Five-Year Work Program. In addition, roadways or roadway

improvements to be constructed pursuant to a local government development agreement shall be deemed to be within a reasonable time frame if the agreement is in compliance with the law and the agreement guarantees that the necessary facilities will be in place when the impacts of the development occur.

- E. "County" shall mean the Board of County Commissioners for Manatee County, or their designee(s).
- F. "County Transportation Authority" shall mean the County entity responsible for roadway approvals.
- G. "Developer" shall mean Lennar Homes, LLC, its heirs, assigns, designees, agents, and successors in interest as to the Heritage Harbour DRI.
- H. "Development Approval" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.
- I. "Funding Commitments" shall mean to assure completion of any improvement required by this Development Order, or any combination of the following:
 - 1. binding commitments for actual construction with a posting of a cash bond, irrevocable letter of credit, or other financial instrument, in a form satisfactory to the County; or
 - 2. actual construction; or
 - 3. the placement of the improvements in the capital improvements work plan of a responsible entity for construction during the fiscal year when the improvement is required, as long as the improvement is within the first two years of the responsible entity's work plan at the time of Preliminary Site Plan approval of a subphase or phase; or
 - 4. a local development agreement as defined by Florida Statutes or the Land Development Code. The funding commitment shall guarantee that the improvement will be in place when needed or concurrent with the expected impacts of the development.
- J. "General Development Plan*" shall be defined as the site plan for PDMU-98-08(G)(R6), last revised October 2012 , and attached as Exhibit 6. Development on the General Development Plan shall be limited to the total number of dwelling units and non-residential development on Table 1.
- K. "Horizontal Development" shall mean and shall be deemed to include the construction of any and all improvements required to serve Vertical Development" (e.g., roadways, drainage, water, sewer, communications, utilities, etc.).
- L. "Net New External p.m. Peak Hour Project Trips shall mean the total trip generation using the ITE Trip Generation Manual, 6th Edition, less the internal capture and pass-by captured trips.
- M. "Owner" shall mean Lennar Homes, LLC., their heirs, assigns, designees, agents, and successors in interest, except as otherwise noted for Parcels 19, 20 and 35.
- N. "Phase" shall mean the development totals listed in Table 1 above.
- O. "Preliminary Site Plan" (PSP*) shall mean a Preliminary Master Development Plan* or a Preliminary Site Plan for a Phase or Sub-Phase as defined in The Manatee County Land Development Code,

(Ordinance 90-01, as amended), for a Phase or Sub-Phase.

- P. "Project" shall mean the land uses by area, square footage, density, and phase described in the ADA*, and as modified in Table 1, to be constructed on the real property described in Section 6 herein.
- Q. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the cumulative traffic generated by a proposed PSP* in combination with prior approvals of this project will be five percent (5%) or more of the Manatee County adopted Level of Service. This area is generally depicted on Figure 21.1 (Exhibit 7) which was submitted with the ADA.
- R. "Vertical Development" shall mean and be deemed to include the construction of or the addition to any existing structure.
- S. "Warranted" shall mean a determination by the County, or FDOT for state roads (unless the improvement is identified as a "local improvement", based on generally accepted transportation engineering practices that the Acceptable Level of Service* cannot be maintained on a roadway segment or intersection without the construction of a transportation improvement required by this Development Order. All reserved vehicle trips on the roadway segment or intersection shall be counted regardless of their source in making this determination.
- T. "Wetland" shall mean any wetland under the jurisdictional limits defined by Chapter 62-340, Florida Administrative Code, and implemented by the Florida Department of Environmental Protection, or as defined by Chapter 40D-4, FAC, and implemented by the Southwest Florida Water Management District.

SECTION 5. SPECIFIC APPROVALS REGARDING PARCELS 19 AND 20.

The Board of County Commissioners granted Specific Approval from compliance with [LDC Section 402.7.D.5 \(Greenbelts\) with Ordinance PDMU-98-08\(G\)\(R7\)](#). [The Board of County Commissioners previously granted Specific Approval from compliance with](#) Sections 900 (formerly 737), Entranceways, and specifically in Section 900.6.C (formerly 737.5.3), Signs, and Section 600 (formerly 724), Signs, specifically Sections 603.3.A (formerly 724.6.4) to enable implementation of the sign plan (Exhibit 16) with revised Ordinance PDMU-98-08(Z)(G)(R4). Further, the Board of County Commissioners granted Specific Approval from compliance with Sections 700 (formerly 715), Landscaping and Screening Standards, and specifically in Section 701.3.A (formerly 715.3.1), Landscaping –Vehicle Use Areas and Sections 1005 (formerly 710) Off-Street Parking and Loading, specifically, in Section 1005.4 (formerly 710.1.4) Reduction in Number of Size of Required Off-Street Parking Spaces and Section 1005.3, Table 10-2 (formerly 710.1.6 Table B) Parking Ratios with revised Ordinance PDMU-98-08(Z)(G)(R4).

SECTION 6. LEGAL DESCRIPTION.

General Development Plan

Development of Heritage Harbour shall be restricted to the 2,784.7 ± acre tract of land described below:

ALL OF SECTIONS 13, 14, 23, 24, 25, 26, 35 AND 36, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LYING NORTH OF STATE ROAD NO. 64, AS SHOWN ON STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION NO. 1305-250 AND ALSO NORTH OF STATE ROAD NO. 93 (INTERSTATE 75) AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT-OF-

WAY MAP FOR SECTION 13075-2403 AND SOUTH OF THE MEAN HIGH WATER LINE OF THE SOUTH BANK OF THE MANATEE RIVER. CONTAINING 2,397.5 ACRES MORE OR LESS. ALSO: THAT PORTION OF THE FOLLOWING DESCRIBED LAND LYING SOUTHWEST OF STATE ROAD NO. 93 (INTERSTATE 75) AND EAST OF THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF KAY ROAD AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 13075-2404, SHEET 3 OF 9: BEGIN AT THE NW CORNER OF SECTION 26, TOWNSHIP 34 SOUTH, RANGE 18 EAST RUNNING EAST 2,681.25 FEET, THENCE RUNNING SOUTH 3,769 FEET, THENCE RUNNING WEST 2,681.25 FEET, THENCE RUNNING NORTH TO THE POINT OF BEGINNING, LESS THE SOUTHERNMOST 1640.5 FEET THEREOF. CONTAINING 10.6 ACRES MORE OR LESS. ALSO: UNSURVEYED PORTION OF SECTION 12, TOWNSHIP 34 SOUTH, RANGE 18 EAST, LYING SOUTH OF GOVERNMENT LOTS 3 AND 4; UNSURVEYED PORTION OF SECTION 13, TOWNSHIP 34 SOUTH, RANGE 18 EAST, LESS AND EXCEPT THE FOLLOWING DESCRIBED LANDS: BEGIN AT THE NW CORNER OF SECTION 13, TOWNSHIP 34 SOUTH, RANGE 18 EAST; THENCE SOUTH TO THE WATER OF THE MANATEE RIVER, THENCE MEANDER THE WATERS OF THE MANATEE RIVER IN AN EASTERLY AND NORTHEASTERLY DIRECTION TO A POINT ON THE NORTH LINE OF SAID SECTION 13 WHICH IS ON OR NEAR THE EXTENDED EAST LINE OF U.S. GOVERNMENT LOT 1 OF SECTION 12, TOWNSHIP 34 SOUTH, RANGE 18 EAST; THENCE WEST ALONG THE NORTH LINE OF SECTION 13 TO THE POINT OF BEGINNING; UNSURVEYED PORTION OF SECTION 14, TOWNSHIP 34 SOUTH, RANGE 18 EAST, LESS AND EXCEPT THE FOLLOWING DESCRIBED LANDS: BEGIN AT THE NE CORNER OF SECTION 14, TOWNSHIP 34 SOUTH, RANGE 18 EAST; THENCE SOUTH TO THE WATERS OF MANATEE RIVER, THENCE MEANDER THE WATERS OF MANATEE RIVER IN A WESTERLY AND NORTHWESTERLY DIRECTION TO A POINT ON THE NORTH LINE OF SAID SECTION 14, RUN THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 14 TO THE POINT OF BEGINNING; CONTAINING APPROXIMATELY 87.7 ACRES (COMPUTED BY DIGITIZING FROM AERIAL PHOTOGRAPHS THE AREA ABOVE THE APPROXIMATE MEAN HIGH WATER LINE) ALL LYING AND BEING LOCATED IN MANATEE COUNTY, FLORIDA. THE AREA OF THE ABOVE DESCRIBED LAND IS APPROXIMATELY 2,495.8 ACRES.

TOGETHER WITH (HERITAGE HARBOUR STONEYBROOK EAST):

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF MANATEE, LYING IN SECTION 19, TOWNSHIP 34 SOUTH, RANGE 19 EAST, BEING A PORTION OF THE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1460, PAGES 5079 THROUGH 5083, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE N.89°47'24"W. ALONG THE SOUTH LINE OF SAID SECTION 19, FOR 175.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°47'24"W., ALONG SAID SOUTH LINE OF SECTION 19, ALSO BEING THE NORTH BOUNDARY LINE OF LANDS OF RIVER ROAD PLANTATION (KNOWN AS PROPERTY IDENTIFICATION NUMBER 5668.0020\9 PER MANATEE COUNTY PROPERTY APPRAISER), FOR 4666.00 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 19; THENCE N.01°24'51"E., ALONG THE WEST LINE OF SAID SECTION 19, ALSO BEING THE EAST BOUNDARY LINES OF PLAT OF STONEYBROOK AT HERITAGE HARBOUR, SUBPHASE D, UNIT 1, AS RECORDED IN PLAT BOOK 44, PAGES 168 THROUGH 185, SAID PUBLIC RECORDS AND PLAT OF STONEYBROOK AT HERITAGE HARBOUR, SUBPHASE D, UNIT 2, AS RECORDED IN PLAT BOOK 50, PAGES 10 THROUGH 13, SAID

PUBLIC RECORDS, FOR 2662.92 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF KAY ROAD (42 FOOT WIDE PUBLIC RIGHT OF WAY), A PORTION OF WHICH IS SHOWN ON PLAT OF WATERLEFE GOLF & RIVER CLUB, UNIT 5, AS RECORDED IN PLAT BOOK 37, PAGES 162 THROUGH 168, SAID PUBLIC RECORDS AND A PORTION OF WHICH IS SHOWN ON AND DESCRIBED IN OFFICIAL RECORDS BOOK 1711, PAGES 673 THROUGH 674, SAID PUBLIC RECORDS; THENCE S.89°44'37"E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTH LINE OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1460, PAGES 5079 THROUGH 5083, SAID PUBLIC RECORDS FOR 2398.56 FEET; THENCE S.87°54'15"E., CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND SAID NORTH LINE, FOR 2354.69 FEET TO A POINT ON THE WESTERLY MAINTAINED RIGHT OF WAY LINE OF UPPER MANATEE RIVER ROAD (80 FOOT WIDE PUBLIC RIGHT OF WAY) AS RECORDED IN ROAD PLAT BOOK 6, PAGE 73, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S.00°21'37"W., ALONG SAID WESTERLY MAINTAINED RIGHT OF WAY LINE, FOR 2282.71 FEET TO THE NORTHEAST CORNER OF LANDS OF VIRGINIA MOORE (KNOWN AS PROPERTY IDENTIFICATION NUMBER 5469.0000/2 PER MANATEE COUNTY PROPERTY APPRAISER); THENCE N.89°53'12"W., ALONG THE NORTHERLY BOUNDARY LINE OF SAID LANDS, FOR 135.10 FEET; THENCE S.00°22'23"W., ALONG THE WESTERLY BOUNDARY LINE OF SAID LANDS, FOR 299.98 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AND THE POINT OF BEGINNING. CONTAINING 12,578,452.9 SQUARE FEET OR 288.76 ACRES, MORE OR LESS. BEARINGS ARE BASED THE WEST LINE OF SECTION 19 AS BEARING N.01°24'51"E. TO COINCIDE WITH THE EASTERLY BOUNDARY LINE OF THE HERITAGE HARBOUR DEVELOPMENT TO THE WEST (SHOWN ON SAID PLAT OF STONEYBROOK AT HERITAGE HARBOUR, SUBPHASE D, UNIT 1 AND PLAT OF STONEYBROOK AT HERITAGE HARBOUR, SUBPHASE D, UNIT 2).

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective upon filing of a certified copy of this Ordinance with the Department of State, provided, however, that the filing of a notice of Appeal pursuant to Section 380.07, Florida Statutes shall suspend any additional development authorization granted by this Development Order until the resolution of said Appeal.

SECTION 8. CODIFICATION. Pursuant to §125.68(1), Florida Statutes, the ordinance is not required to be codified. Therefore, the clerk shall not transmit the ordinance for codification.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the ____ day of _____, 2016.

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

By: _____
Vanessa Baugh Chairman

ATTEST: ~~R.B. Shore~~ Angelina M. Colonnese
Clerk of the Circuit Court

By: _____
Deputy Clerk

EXHIBITS 1, AND 3–5, 7-14 AND 16;

ARE NOT ATTACHED BUT ARE ON FILE AT THE CLERK'S OFFICE AS AN ATTACHMENT TO THE PREVIOUSLY APPROVED PDMU-98-08(Z)(G), APPROVED ON MARCH 21,2000, PDMU-98-08(Z)(G)(R-2), APPROVED ON MARCH 11, 2008 and PDMU-98-08(Z)(G)(R4), approved June 3, 2010.

EXHIBIT 8 HAS BEEN DELETED AS NOTED IN SECTION B(1) TRANSPORTATION CONDITIONS

EXHIBIT 2

Table 13.4 (Revised January 13, 2016) Cont.

**Summary of Wetland Impacts Proposed
Within Heritage Harbour inclusive of Moore's Dairy**

| Wetland I.D. | Wetland Type at Impact Locations | Impact Type | Ecological Quality of Impacted Area | Acres of Impact |
|---|-------------------------------------|-------------|--|-------------------------|
| Impacts associated with Heritage Harbour (original project area) | | | | |
| River Marsh | Herbaceous | Road | High | 0.13 |
| River Marsh | Forest/Herb | Golf | Medium | 0.16 ¹ |
| River Marsh | Herbaceous | Marina | High | 1.50 |
| Heritage Harbour Wetland Impact Acreage Subtotal => | | | | 27.3² |
| Wetland Impact Credit Available pursuant to the DO* | | | | 2.04* |
| Moore's Dairy | | | | |
| A | Herbaceous | Residential | Very Low | 0.29 |
| B | Herbaceous | Residential | Very Low | 0.60 |
| C | Herbaceous | Residential | Low | 0.00 |
| D | Herbaceous | Residential | Very Low | 0.83 |
| E | Herbaceous | Residential | Very Low | 0.50 |
| F | Herbaceous | Residential | Low | 0.00 |
| G | Herbaceous | Residential | Very Low | 0.86 |
| H | Herbaceous | Residential | Very Low | 0.03 |
| Reserve (C & F) | Herbaceous | Residential | Low | 1.03** |
| Moore's Dairy Wetland Impact Acreage Subtotal => | | | | 4.14 |
| TOTAL WETLAND IMPACT AREA => | | | | 33.48 |

1. Temporary impacts only associated with selective clearing for golf flight paths. A total of 1.22 acres of selective clearing was identified pursuant to PDMU-98-08/FSP-04-100; 0.5 acres of which resulted in temporary wetland impacts.

2. Of the 27.3 acres of wetland impacts, 0.5 acres are temporary impacts associated with selective clearing. Therefore, permanent impacts are limited to 26.8 acres.

* Miscellaneous impact reserved for future site plan revisions; administrative authorization may be granted based on Manatee County Final Site Plan standards.

** For Moore's Dairy – indicates miscellaneous impact acreage reserved for future site plan revisions. This reserve brings the Moore's Dairy total to 4.14 acres (consistent with the previously tabulated wetland impact subtotal for Moore's Dairy per version of Table 13.4 revised October 2006).

EX

EXHIBIT #15

Land Use Equivalency Matrix

| Land Use Equivalency Rates and Minimum/Maximum Development Thresholds For Parcels 19 and 20 | | | | | |
|--|-------|-------------------|--------|---------|---------|
| Change To→ | Hotel | Commercial/Retail | Office | Minimum | Maximum |

| Change From↓ | (1Room) | (1,000 SF) | (1,000 SF) | | |
|---------------------------------|-----------|------------|------------|------------|------------|
| Hotel (1 Room) | --- | 171.5 SF | 396 SF | 80 rooms | 300 rooms |
| Commercial/Retail (1,000 SF) | 5.8 Rooms | --- | 2,308.3 SF | 540,000 SF | 683,000 SF |
| Office (1,000 SF) | 2.5 Rooms | 433.2 SF | --- | 0 SF | 100,000 SF |

Note: 1 Hotel Room equates to 171.5 SF of Commercial/Retail or 396 SF of Office
1,000 SF of Commercial/Retail equates to 5.8 Hotel Rooms or 2,308.3 SF of Office
1,000 SF of Office equates to 2.5 Hotel Rooms or 433.2 SF of Commercial/Retail
Any land use exchanges will not exceed the substantial deviation thresholds set forth in FS.380.06(19)(b).

| Land Use Equivalency Rates and Minimum/Maximum Development Thresholds for Residential Uses | | | | | |
|---|------------------------------|------------------------------|--------------|---------|---------|
| Change To→ | Single Family Detached | Single Family Attached | Multi Family | Minimum | Maximum |
| Change From↓ | | | | | |
| Single Family Detached (1 Unit) | --- | 1.97 Units | 1.38 Units | 1,816 | 2,724 |
| Single Family Attached (1 Unit) | 0.51 Unit | --- | 0.70 Unit | 912 | 1,368 |
| Multi Family (1 Unit) | 0.73 Unit | 1.44 Units | --- | 1,272 | 1,908 |

Notes: (1) The above unit type exchange rates are based on the gross trip generation numbers as determined using the mostly recently approved Traffic Impact Statement for the Project (dated December 2009). Pursuant to such study, each Single Family Detached Unit generates 0.77 gross PM peak hour trip; each Single Family Attached Unit generates 0.39 gross PM peak hour trip; and each Multi-Family Unit generates 0.56 gross PM peak hour trip. Such generation rates are specific to this Project and are not generally applicable.

(2) Example: Upon surrendering 1 Single Family Detached Unit, the Developer would be able to add up to 1.97 Single Family Attached Units, 1.38 Multi-Family Units, or a pro rata combination thereof. ...

EXHIBIT 17

PARCEL 35 LAND USE EQUIVALENCY MATRIX

Parcel 35 Land Use Equivalency Matrix

| Land Uses To Be Traded | | Equivalent Land Uses | | | | | | Minimum | Maximum |
|------------------------|---|-----------------------------------|-----------------------------------|------------------------------|---|--|--|---------|---------|
| ITE Code | Land Use Description | # of Single-Family Dwelling Units | # of Single-Family Attached Units | # of Multi-Family Apartments | # of Assisted Living Facility Beds ¹ | # of Sq. Ft. Specialty Retail ² | # of Sq. Ft. Convenience Market ³ | | |
| 210 | Single-Family Detached (Dwelling Unit) | 1.00 | 1.92 | 1.61 | 4.55 | 369.00 | 28.93 | 251 | 832 |
| 230 | Single-Family Attached (Dwelling Unit) | 0.52 | 1.00 | 0.84 | 2.36 | 191.88 | 15.04 | 167 | 959 |
| 220 | Multi-Family Apartment (Dwelling Unit) | 0.62 | 1.19 | 1.00 | 2.82 | 228.78 | 17.93 | 0 | 398 |
| 254 | Assisted Living Facility (Bed) ¹ | 0.22 | 0.42 | 0.35 | 1.00 | 81.18 | 6.36 | 0 | 229 |

General Note: The calculations must always be read from left to right. Start in the "Land Uses to be Traded" column at the appropriate row and proceed horizontally to the appropriate "Equivalent Land Uses" column. The equivalent is noted at the intersection of that row and column. For example, one Single-Family Attached Dwelling Unit ("Land Uses to Be Traded", second row) can be traded into 191.88 square feet of Specialty Retail ("Equivalent Land Uses", fifth column).

General Note: All rates used are P.M. Peak Hour.

(1) Includes Group Care Home, "Small and "Large".

(2) Specialty Retail ITE Land Use Code is 826. Includes Neighborhood and General Retail Sales, Eating Establishment, Bank, Business Services, Professional Office, Clinic, Neighborhood Dry Cleaner, Day Care, Personal Service Establishment, School of Special Education, Post Office, Private Community Use, Public Community Use, Medium Intensity Recreational Use.

(3) Convenience Market ITE Land Use Code is 852. Includes Convenience Retail.

Bobbi Roy

From: Mary Lou Kovac <mkovac4@tampabay.rr.com>
Sent: Friday, April 01, 2016 5:52 PM
To: Planning Agenda
Subject: Heritage Harbour DRI#24 & PDMU-98-08(G)(R7)

We received notice today of a hearing on the above project along with a project site map. What we really need to see are the details of how they intend to develop the site. Where do they intend to put the retail, what is the intended retail use, the path of the road(s). Where are the single family homes vs. the multi-family dwellings? Why doesn't the developer want to complete the noise mitigation study and remove the 30' buffer along the south boundary?

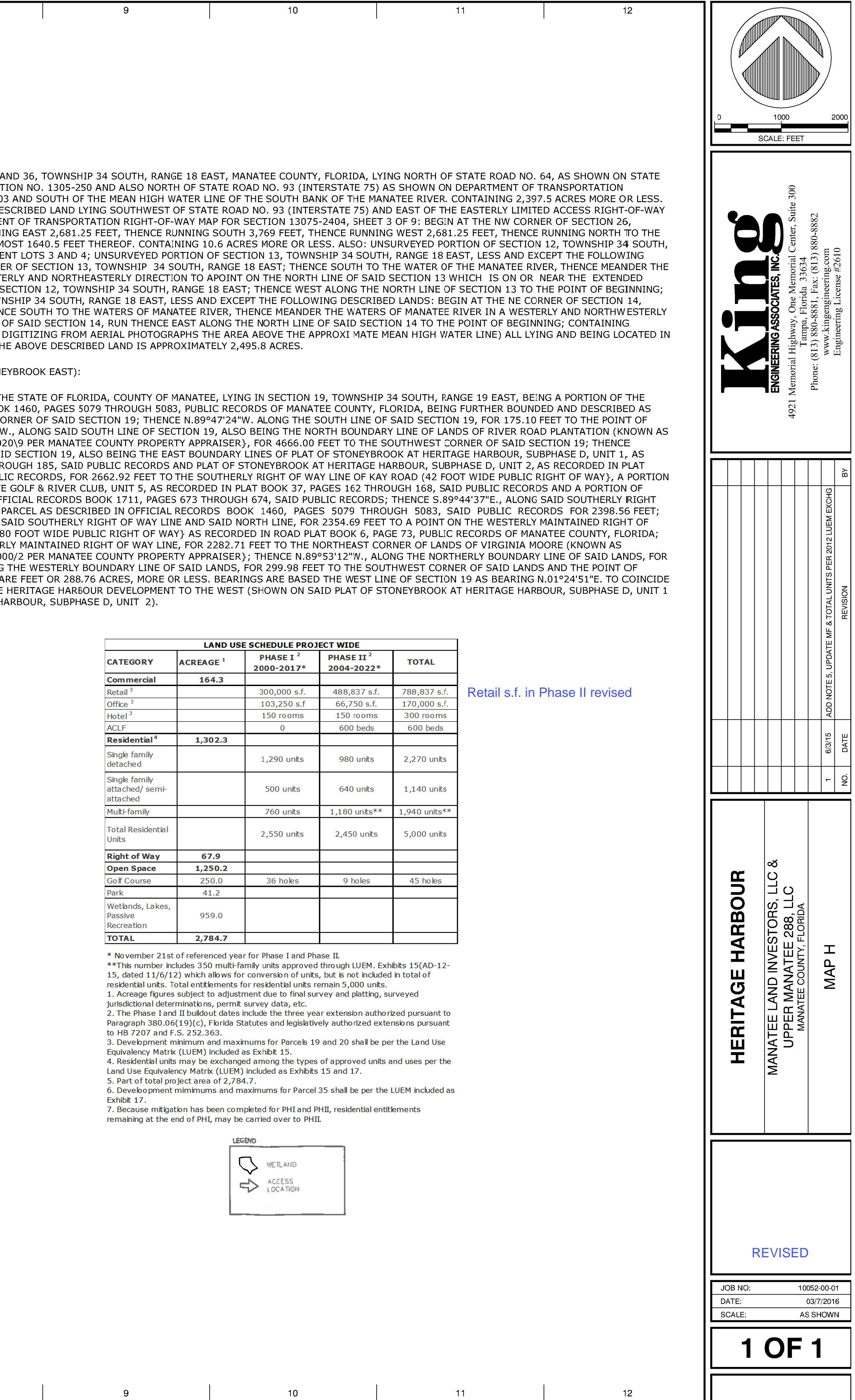
It is the duty of the planning commission and the county commissioners to protect those who already live in the area, pay taxes and vote to elect the commissioners. While I realize change is inevitable, it needs to be the *right* change, not only taking into account the profit of the developer and other political considerations. We are already hearing increased noise along Upper Manatee River Road due to all of the residential development in the area and the bridge is still under construction. Thoughtful consideration of the current residents must be given so that the commissions (Planning and County) do not ADD to the issues by expanding a project on such a small track of land.

I will look forward to your answer and the detailed site map.

Thank you,

Ed and Mary Lou Kovac
10626 Restoration Terrace
Bradenton, FL 34212

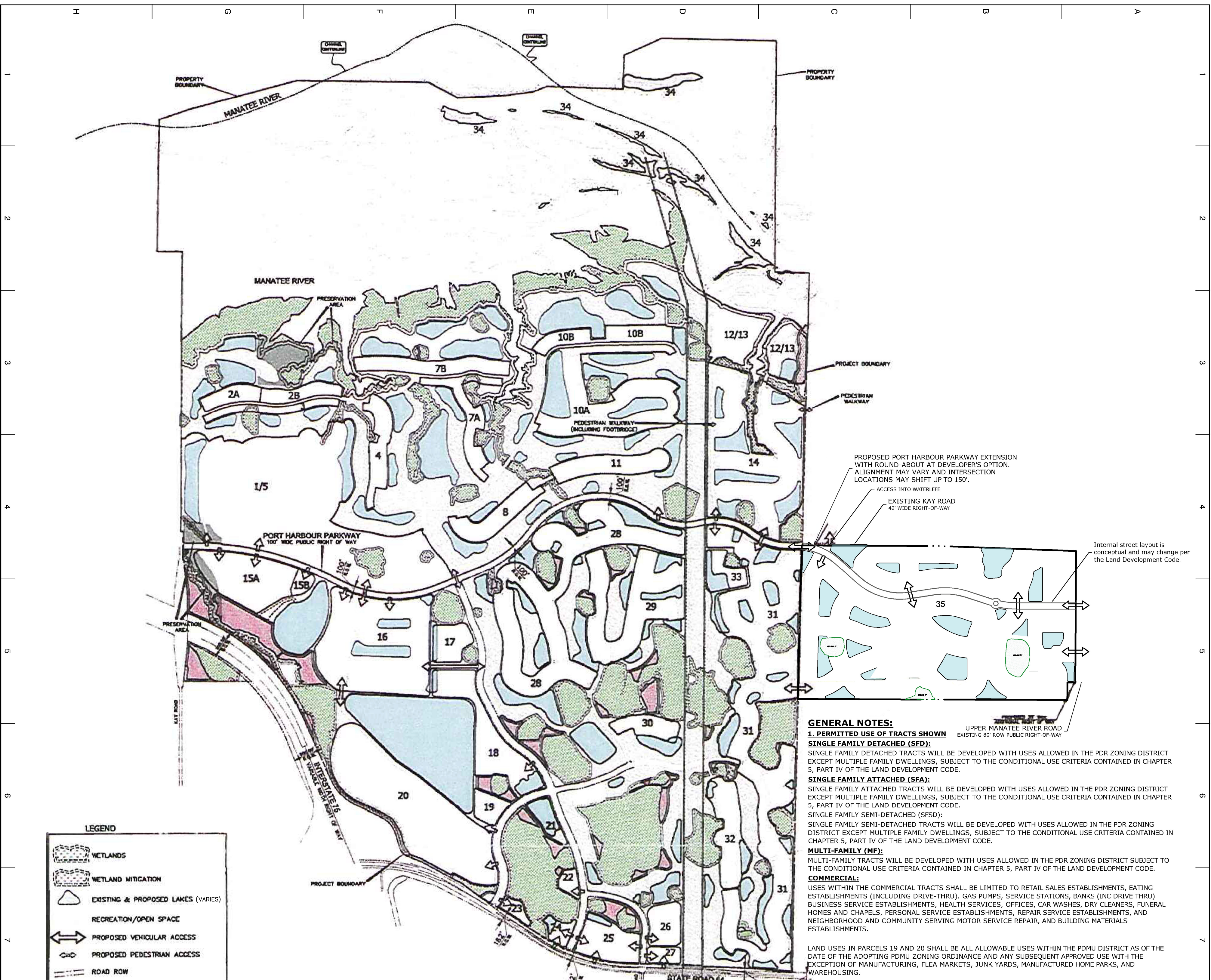
941-747-2534

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| |
|--|
| HERITAGE HARBOUR |
| MANATEE LAND INVESTORS, LLC & UPPER MANATEE 288, LLC MANATEE COUNTY, FLORIDA |
| MAP H |

| | |
|---------|-------------|
| JOB NO: | 10052-00-01 |
| DATE: | 03/7/2016 |
| SCALE: | AS SHOWN |



1 OF 1



| LAND USE SCHEDULE PROJECT WIDE | | | | |
|---------------------------------------|----------------------|------------------------------------|-------------------------------------|---------------|
| CATEGORY | ACREAGE ¹ | PHASE I ² 2000-2017* | PHASE II ² 2004-2022* | TOTAL |
| Commercial | 164.3 | | | |
| Retail ³ | | 300,000 s.f. | 488,837 s.f. | 788,837 s.f. |
| Office ³ | | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotels ³ | | 150 rooms | 150 rooms | 300 rooms |
| ACLF | | 0 | 600 beds | 600 beds |
| Residential ⁴ | 1,302.3 | | | |
| Single family detached | | 1,290 units | 980 units | 2,270 units |
| Single family attached/ semi-attached | | 500 units | 640 units | 1,140 units |
| Multi-family | | 760 units | 1,180 units** | 1,940 units** |
| Total Residential Units | | 2,550 units | 2,450 units | 5,000 units |
| Right of Way | 67.9 | | | |
| Open Space | 1,250.2 | | | |
| Golf Course | 250.0 | 36 holes | 9 holes | 45 holes |
| Park | 41.2 | | | |
| Wetlands, Lakes, Passive Recreation | 959.0 | | | |
| Total | 2,784.7 | | | |

| EXHIBIT 17 (LAND USE EQUITY MATRIX (APPLICABLE ONLY TO PROJECT 35)) | | | | | | | | | |
|--|------------------------------|---|-----------------------------------|------------------------------|---|--|--|---------|---------|
| ITE Code | Change To → Change From ↓ | # of Single-Family, Overlaid Dwelling Units | # of Single-Family Attached Units | # of Multi-Family Apartments | # of Assisted Living Facility Beds ¹ | # of Su.F. Specialty Beds ² | # of Su.F. Convenience Market ³ | MINIMUM | MAXIMUM |
| | | | | | | | | | |
| 210 | S.F. Detached (1 DU) | 1 | 1.92 | 1.61 | 4.55 | 369.00 | 28.93 | 251 | 832 |
| 230 | S.F. Attached (1 DU) | 0.52 | 1.00 | 0.84 | 2.36 | 191.88 | 15.04 | 167 | 959 |
| 280 | MULTI-FAMILY (1 DU) | 0.62 | 1.19 | 1.00 | 2.82 | 228.78 | 17.93 | 0 | 398 |
| 254 | ACU ⁴ (1 Bed) | 0.22 | 0.42 | 0.35 | 1.01 | 81.18 | 6.36 | 0 | 229 |

| LAND USE TABLE | | | |
|----------------|--|---------------------|----------------------------|
| PARCEL | LAND USE | DWELLING UNITS | SQUARE FOOTAGE |
| 1/5 | SFA, SFSD, SFD, MF | 7/8 | |
| 2A | SFA, SFSD, SFD, MF | 120 | |
| 2B | SFA, SFSD, SFD, MF | 72 | |
| 3 | SFA, SFSD, SFD, MF | 64 | |
| 4 | SFA, SFSD, SFD, MF | 112 | |
| 7A | SFA, SFSD, SFD, MF | 116 | |
| 7B | SFA, SFSD, SFD, MF | 204 | |
| 8 | SFA, SFSD, SFD, MF | 40 | |
| 10A | SFA, SFSD, SFD, MF | 179 | |
| 10B | SFA, SFSD, SFD, MF | 240 | |
| 11 | SFA, SFSD, MF | 43 | |
| 12/13 | DOCKS, SFA, SFSD, SFD | 96 | 78 SLIPS |
| 14 | SFD | 190 | |
| 15A | SFA, SFSD, SFD, MF | 392 | |
| 15B | SFA, SFSD, SFD, MF | 72 | |
| 16 | SFA, SFSD, SFD, MF | 500 | |
| 17 | OFFICE / RESIDENTIAL / ACLE / COMMERCIAL, SFA, SFSD, SFD, MF | 100 | (600 BEDS) 22,750 SF |
| 18 | PARK / COMMUNITY IDENTIFICATION FEATURE | -- | |
| (1) 19 | COMMERCIAL / OFFICE / RETAIL / HOTEL / MF | -- | 16,939 SF / 350 MF |
| (1) 20 | COMMERCIAL / OFFICE / RETAIL / HOTEL / MF | -- | 564,900 SF / 300 ROOMS (1) |
| 21 | OPEN SPACE / LAKE / COMMUNITY SUPPORT FACILITY | -- | |
| 22 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 28,000 SF |
| 23 | COMMERCIAL / OFFICE | -- | 15,000 SF |
| 24 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 25,000 SF |
| 25 | COMMERCIAL / OFFICE | -- | 165,000 SF |
| (2) 26 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 75, 250 SF |
| (2) 27 | COMMERCIAL / OFFICE / INSTITUTIONAL | -- | 40,000 SF |
| 28 | SFA, SFSD, SFD | 226 | |
| 29 | SFA, SFSD, SFD | 193 | |
| 30 | SFA, SFSD, SFD | 19 | |
| 31 | SFD | 353 | |
| 32 | SFA, SFSD, SFD, MF | 156 | |
| 33 | PARK | -- | |
| 34 | PASSIVE RECREATION | -- | |
| 35 | SFA, SFSD, SFD, GOLF | 735 - 1,400 PER LUM | 45 HOLES |
| TOTAL | | 5,000 | 1,015,900 SF (1) |

| LAND USE EQUIVALENCY MATRIX (APPLICABLE ONLY TO PARCELS 19 AND 20) | | | | | | |
|--|----------------|-------------------------------|-------------------|-------------------|------------|------------|
| Land Use Equivalency Ratios and Minimum/Maximum Development Thresholds For Parcels 19 and 20 | | | | | | |
| Change To  Change From  | Hotel (1 Room) | Commercial/ Retail (1,000 SF) | Office (1,000 SF) | Multi-Family (DU) | Minimum | Maximum |
| Hotel (1 Room) | --- | 171.55 SF | 395.97 SF | 0.95 DU | 80 rooms | 300 rooms |
| Commercial/Retail (1,000 SF) | 5.83 Rooms | --- | 2,308.25 SF | 5.55 DU | 400,000 SF | 683,000 SF |
| Office (1,000 SF) | 2.53 Rooms | 433.23 SF | --- | 2.40 DU | 0 SF | 100,000 SF |
| Multi-Family (1 Unit) | 1.05 Rooms | 180.27 SF | 416.61 SF | --- | 0 DU | 350 DU |

Notes: Multi-Family = Apartments DU = Dwelling Unit SF = Square Feet
 1 Hotel Room equals to 171.55 SF of Commercial/Retail or 395.97 SF of Office or 0.95 DU of Multi-Family.
 1,000 SF of Commercial/Retail equals to 5.83 Hotel Rooms or 2,308.25 SF of Office or 5.55 DU of Multi-Family.
 1,000 SF of Office equals to 2.53 Hotel Rooms or 433.23 SF of Commercial/Retail or 2.40 DU of Multi-Family.
 1 DU of Multi-Family equals to 1.05 Hotel Rooms or 180.27 SF of Commercial/Retail or 416.61 SF of Office.
 Any land use changes will not exceed the substantial development thresholds set forth in ES-388 (01/10/19).

THIS LAND USE MATRIX EQUIVALENCY MATRIX APPLIES ONLY TO PARCELS 19 AND 20. ANY CONVERSIONS PURSUANT TO THIS MATRIX MAY ONLY BE UTILIZED BY THE OWNERS OF PARCELS 19 AND 20 AND MAY ONLY AFFECT LANDUSE APPROVALS FOR PARCELS 19 AND 20

| Land Use Equivalency Rates and Minimum/Maximum Development Thresholds for Residential Uses (APPLICABLE ONLY TO PARCELS 10 AND 20) | | | | | | |
|--|------------------------|------------------------|--|--------------|---------|---------|
| Change To ➡ | Single Family Detached | Single Family Attached | | Multi Family | Minimum | Maximum |
| Change From ↓ | | | | | | |
| Single Family Detached (1 Unit) | --- | 1.97 Units | | 1.38 Units | 1,816 | 2,724 |
| Single Family Attached (1 Unit) | 0.51 Unit | --- | | 0.70 Unit | 912 | 1,368 |
| Multi Family (1 Unit) | 0.73 Unit | 1.44 Units | | --- | 1,272 | 1,908 |

Notes:

| 2. MINIMUM LOT SIZE SETBACKS | | | | | | |
|--|-------------------------|-----------|---------------|--------------|--------------|------------------|
| USES | MAXIMUM HEIGHT / STORES | LOT WIDTH | FRONT SETBACK | SIDE SETBACK | REAR SETBACK | MINIMUM LOT SIZE |
| SINGLE-FAMILY DETACHED | 35' | 35' | 25' | 15' | 15' | 6,500 SF |
| SINGLE-FAMILY ATTACHED | 35' | 18/25' | 20/15' | 0/10' | 15' | 2,500/3,500 SF |
| SINGLE-FAMILY SEMI-DETACHED | 35' | 35' | 20' | 7.5' | 15' | 3,850 SF |
| 2 LOTS - 2 UNITS | 35' | 35' | 20/15' | 7.5' | 15' | 7,800 SF |
| 1 LOT - 2 UNITS (DUPLEX) | 35' | 70' | 20/15' | 7.5' | 15' | 6,000 SF |
| MULTI-FAMILY (CONDO/APARTMENTS) | 4 STORES | - | 25' | 10' | 15' | 7,500 SF |
| RETAIL | 35' | - | 40' | 20' | 20' | 7,500 SF |
| OFFICE / HOTEL / GROUP CARE HOME (LARGE) | 4 STORES | - | 40' | 20' | 20' | 7,500 SF |
| SCHOOL / RECREATION CENTER | 35' | - | 25' | 20' | 20' | - |

A. MINIMUM LOT WIDTH IS MEASURED AT SETBACK LINE.
 B. APPLIES TO ONE SIDE OF END UNITS.
 C. FRONT SETBACK FOR UNITS WITH SIDE ENTRY GARAGES.
 D. MINIMUM WIDTH AND SIZE FOR EXTERIOR UNIT (LOT).
 E. FRONT SETBACKS ARE FROM PUBLIC AND PRIVATE RIGHTS-OF-WAY.
 F. SINGLE AND TWO-STORY MULTIFAMILY BUILDINGS SHALL MAINTAIN A MINIMUM SETBACK OF 50 FEET FROM SINGLE FAMILY RESIDENTIAL DEVELOPMENT PARCELS. MULTIFAMILY BUILDINGS WHICH ARE THREE OR MORE STORIES SHALL MAINTAIN A MINIMUM SETBACK OF 100 FEET FROM SINGLE FAMILY RESIDENTIAL DEVELOPMENT PARCELS.
 G. THE COMMUNITY IDENTIFICATION STRUCTURE (LIGHTHOUSE), LOCATED IN PARCEL 19, SHALL NOT EXCEED 55' IN HEIGHT.
 H. DUPLEXES SHALL BE PROVIDED WITH A MINIMUM OF A ONE CAR GARAGE FOR EACH DWELLING UNIT.
 I. A MAXIMUM OF 30% OF THE LOTS IN EACH PHASE MAY BE REDUCED TO A MINIMUM LOT AREA OF 4,000 SF, LOT WIDTH OF 40 FEET, AND A MINIMUM SETBACK OF 6 FEET. THESE SMALLER LOTS SHALL BE CONTAINED WITHIN A PARCEL OR SUBPHASE OF A PARCEL THAT IS SEPARATED FROM OTHER SINGLE FAMILY DETACHED UNIT PARCELS BY A MINIMUM SEPARATION WIDTH OF 25 FEET, EXCLUSIVE OF LOT AREAS.

3. MULTI-FAMILY SEPARATION
 MULTI-FAMILY BUILDINGS SHALL BE SEPARATED BY A MINIMUM DISTANCE OF:
 1-STORY UNITS - 15 FEET
 2-STORY UNITS - 25 FEET
 3-STORY UNITS - 40 FEET
 4-STORY UNITS - 50 FEET

4. MULTI-FAMILY RESTRICTIONS
 MULTI-FAMILY DEVELOPMENT IN PARCEL 12/13 SHALL BE RESTRICTED TO 4 UNITS PER BUILDING AND A MAXIMUM HEIGHT OF 2 STORIES. SEPARATION BETWEEN BUILDINGS SHALL BE 25 FEET FOR THE FIRST FLOORS AND 40 FEET FOR THE SECOND FLOORS. EXCEPTIONS MAY INCLUDE ROOM PROJECTIONS AND BAY WINDOWS NOT EXCEEDING A DEPTH OF 5 FEET.

5. BUFFERING AND SCREENING:
 BUFFERING AND SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 715 AND 737 OF THE LAND DEVELOPMENT CODE. ALL LANDSCAPED BUFFERS WILL BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM AND MAINTAINED BY THE OWNER, THE COMMUNITY DEVELOPMENT DISTRICT, OR THE APPROPRIATE HOMEOWNER ASSOCIATION.

6. PARKING:
 PARKING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 710 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.

7. PROJECT ACCESS:
 THE ALIGNMENT OF ALL INTERNAL ROADWAYS AND THE LOCATION OF ALL PROJECT ACCESS POINTS ARE APPROXIMATE. EXACT ALIGNMENTS ARE SUBJECT TO CHANGE PURSUANT TO REVIEW BY MANATEE COUNTY DURING THE SITE PLAN/SUBDIVISION REVIEW PROCESS.

8. DRAINAGE:
 LOCATION AND SIZE OF STORMWATER MANAGEMENT FACILITIES SHOWN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT AT THE FINAL SITE PLAN PHASE.

9. WATER AND WASTE WATER:
 WATER, WATER REUSE, AND WASTEWATER SERVICE WILL BE PROVIDED BY MANATEE COUNTY.

10. DEVELOPMENT MIX:
 TRADE-OFFS IN TYPES AND INTENSITIES/DENSITIES OF APPROVED LAND USES MAY BE MADE AS PERMITTED IN THE DEVELOPMENT ORDER AND ZONING ORDINANCE.

11. WETLANDS:
 PARCEL 35 WETLANDS ARE PER A. DUCHART LAND SURVEYING INC. ALL OTHER ACREAGE AND LOCATION OF ENVIRONMENTAL AREAS ARE APPROXIMATE.

12. SURVEYS:
 INDIVIDUAL PARCELS AND OTHER USES HAVE NOT BEEN SURVEYED AND ACREAGE'S SHOWN ARE APPROXIMATE. PARCELS ARE SUBJECT TO FUTURE SUBDIVISION IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE.

13. GOLF COURSE:
 GOLF COURSE LOCATIONS ARE CONCEPTUAL ONLY AND SUBJECT TO FINAL DESIGN.

14. FLOODPLAIN:
 DEVELOPMENT WITHIN THE ONE HUNDRED (100) YEAR FLOODPLAIN SHALL BE IN ACCORDANCE WITH THE COUNTY'S FLOODPLAIN MANAGEMENT PERMIT PROCEDURES.



Internal street layout is conceptual and may change per the Land Development Code.

1. PERMITTED USE OF TRACTS SHOWN
SINGLE FAMILY DETACHED (SFD):
 SINGLE FAMILY DETACHED TRACTS WILL BE DEVELOPED WITH USES ALLOWED IN THE POR ZONING DISTRICT EXCEPT MULTIPLE FAMILY DWELLINGS, SUBJECT TO THE CONDITIONAL USE CRITERIA CONTAINED IN CHAPTER 5, PART IV OF THE LAND DEVELOPMENT CODE.
SINGLE FAMILY ATTACHED (SFA):
 SINGLE FAMILY ATTACHED TRACTS WILL BE DEVELOPED WITH USES ALLOWED IN THE POR ZONING DISTRICT EXCEPT MULTIPLE FAMILY DWELLINGS, SUBJECT TO THE CONDITIONAL USE CRITERIA CONTAINED IN CHAPTER 5, PART IV OF THE LAND DEVELOPMENT CODE.
FAMILY SEMI-DETACHED (SFD):
 SINGLE FAMILY SEMI-DETACHED TRACTS WILL BE DEVELOPED WITH USES ALLOWED IN THE POR ZONING DISTRICT EXCEPT MULTIPLE FAMILY DWELLINGS, SUBJECT TO THE CONDITIONAL USE CRITERIA CONTAINED IN CHAPTER 5, PART IV OF THE LAND DEVELOPMENT CODE.
MULTI-FAMILY (MF):
 MULTI-FAMILY TRACTS WILL BE DEVELOPED WITH USES ALLOWED IN THE POR ZONING DISTRICT SUBJECT TO THE CONDITIONAL USE CRITERIA CONTAINED IN CHAPTER 5, PART IV OF THE LAND DEVELOPMENT CODE.
COMMERCIAL:
 USES WITHIN THE COMMERCIAL TRACTS SHALL BE LIMITED TO RETAIL SALES ESTABLISHMENTS, EATING ESTABLISHMENTS (INCLUDING DRIVE-THRU), GAS PUMPS, SERVICE STATIONS, BANKS (INC CARRIER THRU) BUSINESS SERVICE ESTABLISHMENTS, HEALTH SERVICES, OFFICES, CAR WASHES, (OR CLEAN TRUCKS), FUNERAL HOMES, RESTAURANTS, PERSONAL SERVICE ESTABLISHMENTS, REPAIR SERVICE ESTABLISHMENTS, AND NEIGHBORHOOD AND COMMUNITY SERVING MOTOR SERVICE REPAIR, AND BUILDING MATERIALS ESTABLISHMENTS.

FOR PARCELS 19 AND 20 PARKING REQUIREMENTS SHALL BE CALCULATED AS FOUR (4) PARKING SPACES PER 1,000 SF OF COMMERCIAL SPACE. A 10% REDUCTION IN PARKING COUNT WILL BE ALLOWED FOR PARKING LOT HAVING MORE THAN 60 SPACES. IN ADDITION, PARKING LOT ISLANDS CAN BE CLUSTERED INTO FEWER ISLANDS, HAVING THE SAME AREA AS REQUIRED BY CODE PRIOR TO CLUSTERING, FOR IMPROVED TREE SURVIVAL AND IMPROVED BUILDING VISIBILITY.

DOCKS:
USES SHALL INCLUDE SINGLE FAMILY AND MULTI-FAMILY RESIDENTIAL DOCKS AND ANCILLARY USES FOR THE DOCKAGE OF WATERCRAFT IN WET SLIPS. THE PARCEL MAY INCLUDE A PRIVATE BOAT RAMP FOR LAUNCHING BOATS AS WELL AS RECREATIONAL USE PIERS. A MAXIMUM OF 78 SLIPS AND ONE BOAT RAMP ARE PROPOSED.

OTHER PERMITTED USES:
HOSPITALS, NURSING HOMES AND GROUP CARE HOMES (LARGE), ARE PERMITTED USES WITHIN COMMERCIAL TRACTS IN AREAS DESIGNATED ON THE FUTURE LAND USE MAP AS MIXED USE (MU). INTERIM USE OF THE SITE FOR AGRICULTURAL PURPOSES SHALL BE PERMITTED.

| HEIGHT / FS | LOT WIDTH | FRONT SETBACK | SIDE SETBACK | REAR SETBACK | MINIMUM LOT SIZE |
|----------------|--------------|------------------|-----------------|-----------------|---------------------|
| 55 | 20/15 | 7 | 15 | 6,500 SF | |
| 18/25 | 20/15 | 0/10 | 15 | 2,500/3,500 SF | |

A. MINIMUM LOT WIDTH IS MEASURED AT SETBACK LINE.
B. APPLIES TO ONE SIDE OF END UNITS.
C. FRONT SETBACK FOR UNITS WITH SIDE ENTRY GARAGES.
D. MINIMUM WIDTH AND SIZE FOR EXTERIOR UNIT (LOT).
E. FRONT SETBACKS ARE FROM PUBLIC AND PRIVATE RIGHTS OF-WAY.
F. SINGLE AND TWO-STORY MULTIFAMILY BUILDINGS SHALL MAINTAIN A MINIMUM SETBACK OF 50 FEET FROM SINGLE FAMILY RESIDENTIAL DEVELOPMENT PARCELS. SINGLE FAMILY BUILDINGS WITH ONE OR MORE STORES SHALL MAINTAIN A MINIMUM SETBACK OF 100 FEET FROM SINGLE FAMILY RESIDENTIAL DEVELOPMENT PARCELS.
G. THE COMMUNITY IDENTIFICATION STRUCTURE (LIGHTHOUSE), LOCATED IN PARCEL 19, SHALL NOT EXCEED 55 IN HEIGHT.
H. DUPLEXES SHALL BE PROVIDED WITH A MINIMUM OF A ONE CAR GARAGE FOR EACH DWELLING UNIT.
I. A MAXIMUM OF 30% OF THE LOTS IN EACH PHASE MAY BE REDUCED TO A MINIMUM LOT AREA OF 4,000 SF, LOT WIDTH OF 40 FEET, AND A SIDE YARD SETBACK OF 6 FEET. THESE SMALLER LOTS SHALL BE CONTAINED WITHIN A PARCEL OR SUBPARCE OF A PARCEL THAT IS SEPARATED FROM OTHER SINGLE FAMILY DETACHED UNIT PARCELS BY A MINIMUM SEPARATION WIDTH OF 25 FEET. EXCLUSIVE OF LOT AREAS.

- MULTI-FAMILY SEPARATION
MULTI-FAMILY BUILDINGS SHALL BE SEPARATED BY A MINIMUM DISTANCE OF
1-STORY UNITS - 15 FEET
2-STORY UNITS - 25 FEET
3-STORY UNITS - 40 FEET
4-STORY UNITS - 50 FEET
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MULTI-FAMILY DEVELOPMENT IN PARCEL 12/13 SHALL BE RESTRICTED TO 4 UNITS PER BUILDING AND A MAXIMUM HEIGHT OF 2 STORIES. SEPARATION BETWEEN BUILDINGS SHALL BE 25 FEET FOR THE FIRST FLOORS AND 40 FEET FOR THE SECOND FLOORS. EXCEPTIONS MAY INCLUDE ROOM PROJECTION AND BAY WINDOWS NOT EXCEEDING A DEPTH OF 5 FEET.
5. BUFFERING AND SCREENING
BUFFERING AND SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 715 AND 737 OF THE LAND DEVELOPMENT CODE. ALL LANDSCAPED BUFFERS WILL BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM AND MAINTAINED BY THE OWNER, THE COMMUNITY DEVELOPMENT DISTRICT, OR APPROPRIATE HOMEOWNER ASSOCIATION.
6. PARKING
PARKING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 710 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.
7. PROJECT ACCESS
THE ALIGNMENT OF ALL INTERNAL ROADWAYS AND THE LOCATION OF ALL PROJECT ACCESS POINTS ARE APPROXIMATE. EXACT ALIGNMENTS ARE SUBJECT TO CHANGE PURSUANT TO REVIEW BY MANATEE COUNTY DURING THE SITE PLAN/SUBDIVISION REVIEW PROCESS.
8. DRAINAGE
LOCATION AND SIZE OF STORMWATER MANAGEMENT FACILITIES SHOWN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT AT THE FINAL SITE PLAN PHASE.
9. WATER AND WASTE WATER
WATER, WATER REUSE, AND WASTEWATER SERVICE WILL BE PROVIDED BY MANATEE COUNTY.
10. DEVELOPMENT MIX
TRADE-OFFS IN TYPES AND INTENSITIES/DENSITIES OF APPROVED LAND USES MAY BE MADE AS PERMITTED IN THE DEVELOPMENT ORDER AND ZONING ORDINANCE.
11. WETLANDS
PARCEL 35 WETLANDS ARE PER A DUCHART LAND SURVEYING INC. ALL OTHER ACREAGE AND LOCATION OF ENVIRONMENTAL AREAS ARE APPROXIMATE.
12. SURVEYS
INDIVIDUAL PARCELS AND OTHER USES HAVE NOT BEEN SURVEYED AND ACREAGE IS SHOWN ARE APPROXIMATE. PARCELS ARE SUBJECT TO FUTURE SUBDIVISION IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE.
13. GOLF COURSE
GOLF COURSE LOCATIONS ARE CONCEPTUAL ONLY AND SUBJECT TO FINAL DESIGN.
14. FLOODPLAIN
DEVELOPMENT WITHIN THE ONE HUNDRED (100) YEAR FLOODPLAIN SHALL BE IN ACCORDANCE WITH THE COUNTY'S FLOODPLAIN MANAGEMENT PERMIT PROCEDURES.

| LAND USE SCHEDULE PROJECT WIDE | | | | |
|---------------------------------------|----------------------|------------------------------------|-------------------------------------|--------------|
| CATEGORY | ACREAGE ¹ | PHASE I ² 2000-2017* | PHASE II ³ 2004-2022* | TOTAL |
| Commercial | 164.3 | | | |
| Retail ³ | | 300,000 s.f. | 488,837 s.f. | 788,837 s.f. |
| Office ³ | | 103,250 s.f. | 66,750 s.f. | 170,000 s.f. |
| Hotel ³ | | 150 rooms | 150 rooms | 300 rooms |
| ACLF | | 0 | 600 beds | 600 beds |
| Residential ⁴ | 1,302.3 | | | |
| Single family detached | | 1,290 units | 980 units | 2,270 units |
| Single family attached/ semi-attached | | 500 units | 640 units | 1,140 units |
| Multi family | | 760 units | 1,180 units | 1,940 units |
| Total Residential Units | | 2,550 units | 2,800 units | 5,350 units |
| Right of Way | 67.9 | | | |
| Open Space | 1,250.2 | | | |
| Golf Course | | 36 holes | 9 holes | 45 holes |
| Park | | 210.0 | | |
| Wetlands, Lakes, Ponds/ Recreation | | 959.0 | | |
| TOTAL | 2,784.7 | | | |

jurisdictional determinations, permit survey data, etc.

2. The Phase I and II buildout dates include the three year extension authorized pursuant to Paragraph 380.02(19)(c), Florida Statutes and legislatively authorized extensions pursuant to HB 707 and F.S. 252.363.

Development minimum and maximums for Parcels 19 and 20 shall be per the Land Use Equivalency Matrix (LUEM) included as Exhibit 15.

4. Residential units may be exchanged among the types of approved units and uses per the Land Use Equivalency Matrix (LUEM) included as Exhibits 15 and 17.

5. Part of total project area of 2,784.7.

6. Development minimums and maximums for Parcel 20 shall be per the LUEM included as Exhibit 17.

7. Because litigation has been completed for PH1 and PH11, residential entitlements remaining at the end of PH1, may be carried over to PH11.

LAND USE EQUIVALENCY MATRIX (APPLICABLE ONLY TO PARCELS 19 AND 20)

Land Use Equivalency Rates and Minimum/Maximum Development Thresholds for Parcels 19 and 20

| Change To ➡ | Hotel (1 Room) | Commercial/ Retail (1,000 SF) | Office (1,000 SF) | Multi Family (DU) | Minimum | Maximum |
|------------------------------|----------------|-------------------------------|-------------------|-------------------|------------|-------------|
| Change From ➡ | | | | | | |
| Hotel (3 Rooms) | | 1:11.55 SF | 9:51 SF | 0:95 DU | 80 rooms | 300 rooms |
| Commercial/Retail (1,000 SF) | 0:8.3 Rooms | | 2:306.35 SF | 0:5F | 400,000 SF | 6,83,000 SF |
| Office (1,000 SF) | 0:5.3 Rooms | 4:22.52 SF | | 2:40 DU | 0 SF | 100,000 SF |
| Multi Family (1 Unit) | 1:0.5 Room | 180:27 SF | 416:11 SF | 0 DU | 350 DU | |

Notes: Multi Family - Apartments DU = Dwelling Unit SF = Square Feet
1 Hotel Room equates to 171.55 SF of Commercial/Retail or 195.97 SF of Office or 0:95 DU of Multi Family
1,000 SF of Commercial/Retail equates to 1:8.3 Hotel Rooms or 433.27 SF of Commercial/Retail or 2:40 DU of Multi Family
1,000 SF of Office equates to 2:53 Hotel Rooms or 433.27 SF of Commercial/Retail or 2:40 DU of Multi Family
1 DU of Multi Family equates to 1:0.5 Hotel Rooms or 180:27 SF of Commercial/Retail or 416:11 SF of Office
All units and uses changes will be subject to the substantial development review process set forth in F.S. 380.02(19)(c).

THIS LAND USE EQUIVALENCY MATRIX APPLIES ONLY TO PARCELS 19 AND 20. ALL OTHERS, CONVEYANCES PURSUANT TO THIS MATRIR MAY ONLY BE UTILIZED BY THE OWNERS OF PARCELS 19 AND 20 AND MAY ONLY AFFECT LAND USE APPROVALS FOR PARCELS 19 AND 20.

| Land Use Equivalency Rates and Minimum/Maximum Development Thresholds for Residential Uses (APPLICABLE ONLY TO PARCELS 19 AND 20) | | | | | |
|---|------------------------|------------------------|--------------|---------|---------|
| Change To ➡ | Single Family Detached | Single Family Attached | Multi Family | Minimum | Maximum |
| Change From ➡ | | | | | |
| Single Family Detached (1 Unit) | | 1:9 Units | 1:38 Units | 0:80 | 2:72 |
| Single Family Attached (1 Unit) | 0:51 Unit | | 0:10 Unit | 0:12 | 1:36 |
| Multi Family (1 Unit) | 0:23 Unit | 1:44 Units | | 1:272 | 3:958 |

Notes:

- (1) ALLOWABLE LAND USES AND SQUARE FOOTAGE CAN TRANSFER BETWEEN PARCELS 19 & 20 SUBJECT TO LAND USE EQUIVALENCY MATRIX FOR PARCEL 19 & 20
- (2) ALLOWABLE COMMERCIAL SQUARE FOOTAGE CAN TRANSFER BETWEEN THESE TWO PARCELS 26 & 27
- (3) ALLOWABLE USES CAN TRANSFER ON PARCEL 35 PER LUEM

| | | | |
|--------------------------------|--|---|---|
| <div> <div>1 OF 1</div> </div> | <div> <div>DATE: 01/20/2018</div> <div>AS SHOWN</div> </div> | <div> <div>JOB NO: 10052-00-01</div> </div> | <div> <div>HERITAGE</div> <div>MANATEE L</div> <div>UPPER</div> <div>MANA</div> <div>GENERAL</div> </div> |
| | | | |
| | | | |

GENERAL DEVELOPMENT PLAN

[illegible]

King

ENGINEERING ASSOCIATES, INC.

4921 Memorial Highway, One Memorial Center, Suite 300
Tampa, Florida 33634

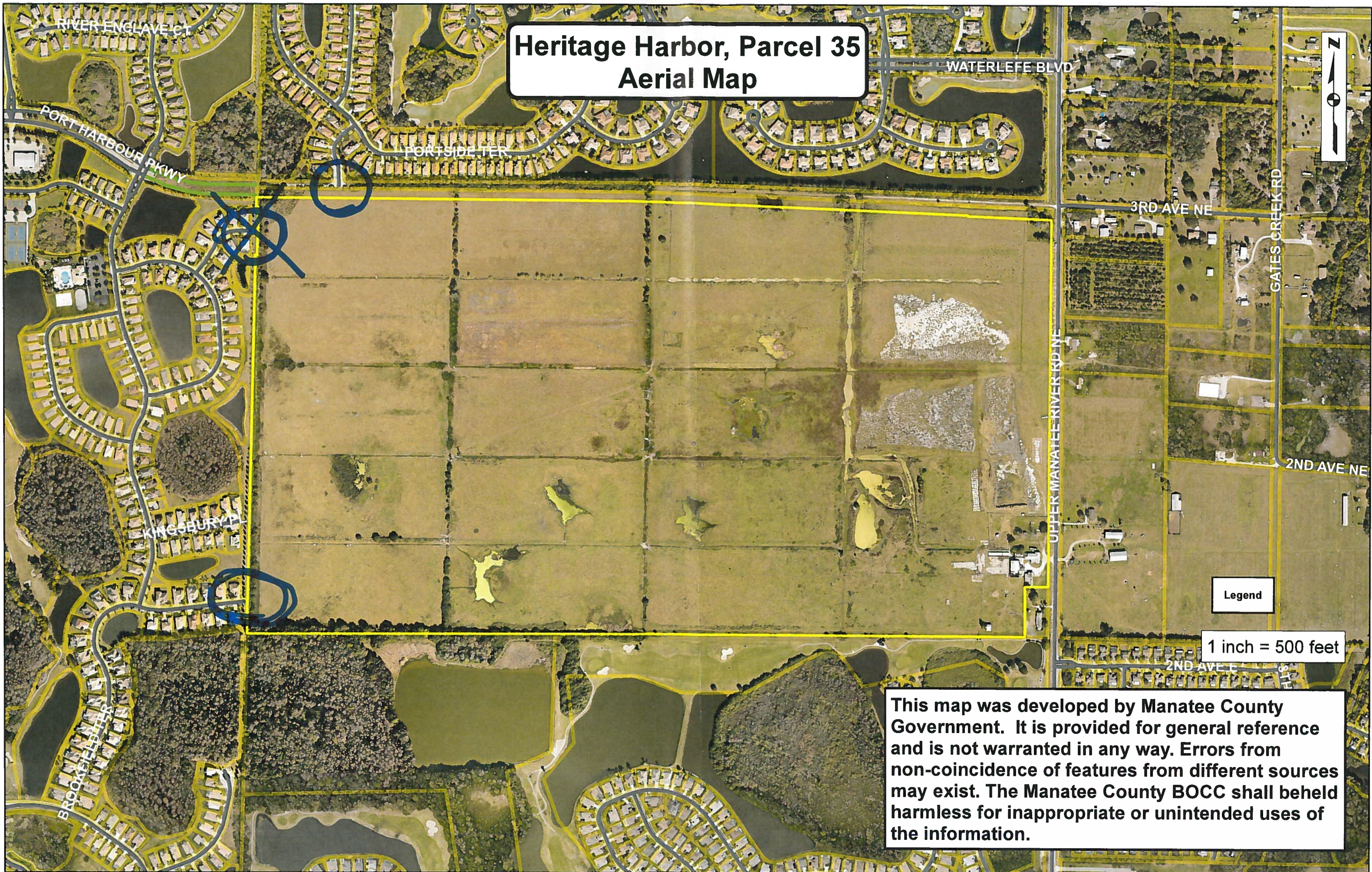
Phone: (813) 890-8881, Fax: (813) 880-8882

www.kingengineering.com

Engineering License #2610



Heritage Harbor, Parcel 35 Aerial Map



Legend

1 inch = 500 feet

This map was developed by Manatee County Government. It is provided for general reference and is not warranted in any way. Errors from non-coincidence of features from different sources may exist. The Manatee County BOCC shall be held harmless for inappropriate or unintended uses of the information.

728 IF YOU WISH TO ADDRESS THE BOARD DURING A
PUBLIC HEARING ON TODAY'S AGENDA, PLEASE
COMPLETE THIS FORM. THANK YOU.

Individuals wishing to speak on any Public Hearing
matter must indicate so by filling out this form and
returning it to the Clerk prior to the beginning of the
Public Hearing.

PLEASE PRINT *WEL*

Name: TERRY Holinsky

Address: 1012 Rainbow Ct
Brenton FL 34212

Email Address tholinsky@gmail.com

Representing Self

Public Hearing matter on which you want to speak:

Ordinance 16-16 Fleet Harbor

Please check one for each #:

1. Are you in favor: ☐ * *WIDENING*
opposed: ☒ * *TRAFFIC LIGHT*

2A. Speaking as an individual? Yes ☒ *HS*

OR

2B. If you are speaking as an official representative
of a group: **

Name of Group:

** You are required to provide the Clerk with written
evidence of your authority to speak on behalf of the
organization or group you represent for land use
public hearings.

3. Do you have a visual presentation or other
evidence to be submitted to the Board?

Yes ☐

No ☒

4. Do you wish to be notified of any subsequent
dispute resolution proceedings?

Yes ☒

No ☐

* Designation in favor or opposed is required solely
for determination of the order of appearance. The
number of people for or against a matter is not
considered by the Board with regard to whether to
approve or deny the matter.

126
**IF YOU WISH TO ADDRESS THE BOARD DURING A
PUBLIC HEARING ON TODAY'S AGENDA, PLEASE
COMPLETE THIS FORM. THANK YOU.**

Individuals wishing to speak on any Public Hearing matter must indicate so by filling out this form and returning it to the Clerk prior to the beginning of the Public Hearing.

PLEASE PRINT

Name: AL HARCHARIK *WEL*

Address: 9830 PORTSIDE TERRACE
BRAD. FL. 34212

Email Address alsandra3@yahoo.com

Representing SELF

Public Hearing matter on which you want to speak:

Please check one for each #:

1. Are you in favor: ☐ *
opposed: ☐

2A. Speaking as an individual? Yes ☒

OR

2B. If you are speaking as an official representative of a group: **

Name of Group:

**** You are required to provide the Clerk with written evidence of your authority to speak on behalf of the organization or group you represent for land use public hearings.**

3. Do you have a visual presentation or other evidence to be submitted to the Board?

Yes ☐ No ☐

4. Do you wish to be notified of any subsequent dispute resolution proceedings?

Yes ☐ No ☐

* Designation in favor or opposed is required solely for determination of the order of appearance. The number of people for or against a matter is not considered by the Board with regard to whether to approve or deny the matter.

748

**IF YOU WISH TO ADDRESS THE BOARD DURING A
PUBLIC HEARING ON TODAY'S AGENDA, PLEASE
COMPLETE THIS FORM. THANK YOU.**

Individuals wishing to speak on any Public Hearing matter must indicate so by filling out this form and returning it to the Clerk prior to the beginning of the Public Hearing.

PLEASE PRINT

Name: MARY LOU KOVAC WEL
Address: 10626 RESTORATION TER

Email Address MIKOVAC4@TAMPABAY.IRR.COM

Representing Self

Public Hearing matter on which you want to speak:

#748

Please check one for each #: 2014 Agreement
1. Are you in favor: ☐ * L3 Butter
opposed: ☐ HEKHT

2A. Speaking as an individual? Yes ☐

OR

2B. If you are speaking as an official representative of a group: **

Name of Group:

**** You are required to provide the Clerk with written evidence of your authority to speak on behalf of the organization or group you represent for land use public hearings.**

3. Do you have a visual presentation or other evidence to be submitted to the Board?

Yes ☐ No ☐

4. Do you wish to be notified of any subsequent dispute resolution proceedings?

Yes ☐ No ☐

*** Designation in favor or opposed is required solely for determination of the order of appearance. The number of people for or against a matter is not considered by the Board with regard to whether to approve or deny the matter.**

128
**IF YOU WISH TO ADDRESS THE BOARD DURING A
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COMPLETE THIS FORM. THANK YOU.**

Individuals wishing to speak on any Public Hearing matter must indicate so by filling out this form and returning it to the Clerk prior to the beginning of the Public Hearing.

PLEASE PRINT

Name: James Carey
Address: 9819 Portside Terrace
Bradenton, FL 34210

Email Address jfcarey@comcast.net

Representing self

Public Hearing matter on which you want to speak:

Please check one for each #:

1. Are you in favor: ☐ *
opposed: ☐

• 2014
• WHAT COMMERCIAL

2A. Speaking as an individual? Yes ☒

OR

2B. If you are speaking as an official representative of a group: **

Name of Group:

**** You are required to provide the Clerk with written evidence of your authority to speak on behalf of the organization or group you represent for land use public hearings.**

3. Do you have a visual presentation or other evidence to be submitted to the Board?

Yes ☐

No ☒

4. Do you wish to be notified of any subsequent dispute resolution proceedings?

Yes ☒

No ☐

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Public Hearing.

PLEASE PRINT

Name: EUGENE ZEINER

Address: 9036 WILLOWBROOK CR

BRADENTON, FL 34212

Email Address: RAIKRON980@hotmail.com

Representing: HERITAGE HARBOR

Public Hearing matter on which you want to speak:

Please check one for each #:

1. Are you in favor: ☐ *
opposed: ☒ WGL
700 UNITS
K100

2A. Speaking as an individual? Yes ☒

OR

BEAGLE/TREES
EATER. ACCESS

2B. If you are speaking as an official representative
of a group: **

Name of Group:

** You are required to provide the Clerk with written
evidence of your authority to speak on behalf of the
organization or group you represent for land use
public hearings.

3. Do you have a visual presentation or other
evidence to be submitted to the Board?

Yes ☐

No ☒

4. Do you wish to be notified of any subsequent
dispute resolution proceedings?

Yes ☒

No ☐

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number of people for or against a matter is not
considered by the Board with regard to whether to
approve or deny the matter.