

**ORDINANCE 00-50**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY FLORIDA AMENDING CERTAIN PROVISIONS OF  
THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE  
90-01, AS AMENDED):**

- 1. AMENDING CERTAIN PROVISIONS IN THE LANDSCAPING SECTION REGARDING SCREENING BUFFERS ADJACENT TO INDUSTRIAL USES AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners of Manatee County, Florida, is authorized under Chapters 125, 162, 163, 177 and 380, Florida Statutes, to enact zoning and other land development regulations to protect the health, safety, and welfare of the citizens of Manatee County, Florida, and;

**WHEREAS**, Sections 163.3201, 163.3202, 163.3204, 163.3211 and 163.3213, Florida Statutes, empowers and requires the Board of County Commissioners of Manatee County, Florida to implement adopted comprehensive plans by the adoption of appropriate land development regulations and specifies the scope, content and administrative review procedures for said regulations; and

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

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

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

**WHEREAS**, the Manatee County Planning Commission held a public hearing session on October 5, 2000 on the above cited amendments with due public notice having

547-2410

been provided, and having reviewed and considered all comments received during said public hearing, including the staff comments and reports, recommended said amended version of the Manatee County Land Development Code as being consistent with the adopted Manatee County Comprehensive Plan and meeting the requirements of Section 5, 163.3202(2) and 163.3213(1) and (2), Florida Statutes; and

**WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, and the provisions of the Sections 502 and 503 of the Manatee County Land Development Code, on October 24, 2000 and November 28, 2000, the Board of County Commissioners of Manatee County held public hearings, with due public notice having been provided, to consider proposed amendments to the above referenced Land Development Code; and

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

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

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

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

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

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

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

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

Section 6. Effective Date. This ordinance shall take effect immediately upon receipt of the official acknowledgment from the Secretary of State that same has been filed with that office. Projects which have Special Exception status under Chapter 1, Section 4B of the Plan, or projects which have been approved or have an application deemed complete for a Development of Regional Impact development order, preliminary site plan or plat, final site plan or plat or building permit prior to November 16, 2000, shall not be subject to provisions of this ordinance which were specifically addressed in reviewing or approving such project, provided that such approval was lawfully granted and has not expired or otherwise been terminated. All projects shall be subject to all provisions of this ordinance which are not specifically addressed in such approval or are not inconsistent with such approval.

**PASSED AND DULY ADOPTED**, with a quorum present and voting, by the Board of County Commissioners of the County of Manatee, Florida this the 28th day of November, 2000.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: *J. McClash*  
Chairman

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


By: *Susan P. Shore*  
The seal is circular with a double-line border. The outer ring contains the text "BOARD OF COUNTY COMMISSIONERS" at the top and "MANATEE CO., FLA." at the bottom. In the center, the word "SEAL" is printed in a bold, sans-serif font.

EXHIBIT A

Industrial/Residential Buffers  
Ordinance 00-50  
Adopted November 28, 2000

Chapter 2

Add the following definition:

Wall, Decorative, Opaque, shall mean any solid fence constructed of concrete aggregate, stucco finish, brick, stone, concrete masonry split face design or other such substantial material, as determined by the Planning Director.

715.3.2. *Buffer Zones.*

- a. Buffer Zones are landscaped strips along parcel boundaries.
- b. Buffer Zones serve to separate incompatible uses and/or create attractive boundaries.
  - Widths and degrees of vegetation depend on relationship between uses.
  - Standards are per one hundred (100) linear feet.
  - Plant materials are to be spread relatively evenly throughout the buffer.
  - See Figure 715.C for required amounts of landscaping.
  - See Figure 715.C for landscaping alternatives.
- c. Buffer zones for proposed industrial uses adjacent to residential uses/zoning shall use buffer option E, unless otherwise approved with Planned Development Specific Approval.

2. *Screening Buffers.*

- Screening buffers are required between zoning district boundaries.
- The width of the buffer shall be as defined in the Buffer Matrix, Figure 715.D.
- Decorative, opaque fences shall be considered:  
Concrete Aggregate

EXHIBIT A

Finish (either colored or painted)

Brick

Stone

Glass Block or

Wood

No chain link shall be allowed. (The exception is chain link with slats shall be allowed for the gates of dumpster enclosures).

Concrete masonry shall be allowed only if split face design.

Structurally safe, durable and attractive.

A Minimum of six (6) feet in height.

- For hedges used within screening buffer zones, the plant materials used shall reach a minimum height of six (6) feet within three (3) years of planting.

Figure 715C includes the following:

OPTION A includes a 6 ft. fence 2 canopy trees and 3 1/3 understory trees

OPTION B includes 2 1/2 canopy trees and 33 shrubs

OPTION C includes either a 6 ft fence or shrubs and trees that will be 80% opaque

OPTION D includes combination of hedge and berms, avg. height 2 1/2 feet, max. slope 3:1, total height adjacent to property line 6 ft.

Add OPTION E as follows: OPTION E shall include a solid, decorative, opaque wall a minimum six (6) feet in height with 2 canopy trees and 3 1/3 understory trees per 100 l.f. The wall shall be placed at the interior edge of the buffer and the landscaping shall be placed on the exterior side of the wall. Should the applicant wish to propose an alternative to this requirement, the project must receive specific approval through the planned development process.

Section 715 D. amend as follows:

EXHIBIT A

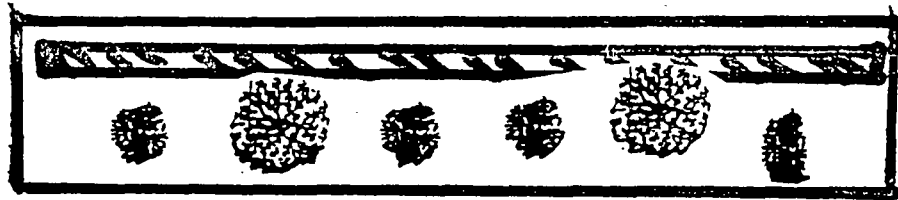
BUFFER SCREENING MATRIX  
WIDTH OF BUFFER REQUIRED (IN FEET)

Proposed Use	Abutting Use/or Zoning												Warehouse	Intensive Ag Uses*
	Res. Excl. M.F.	Multi-Family	Res. Sup. Uses	Community Ser. Uses	Retail Commercial	Service Commercial	Misc. Service	Service	Indust.	Misc. Uses	Rec. Uses	Transp. Uses		
Res. Excl. M.F.	0	10	10	10	15	10	15	15	20	15	10	20	20	15
Multi-Family	10	0	5	10	15	10	10	10	20	10	10	20	15	10

FIGURE 715C. SCREENING BUFFER OPTIONS

A.

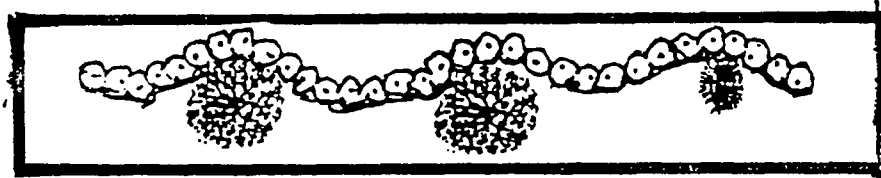
6 ft. fence  
2 canopy trees  
3 1/3 understory trees



5-20'

B.

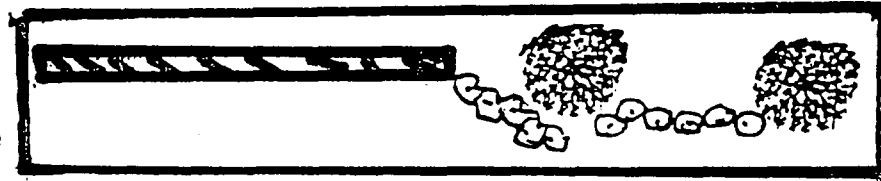
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33 shrubs



5-20'

C.

6 ft. fence  
or shrubs and trees  
that will be 80% opaque



5-20'

D.

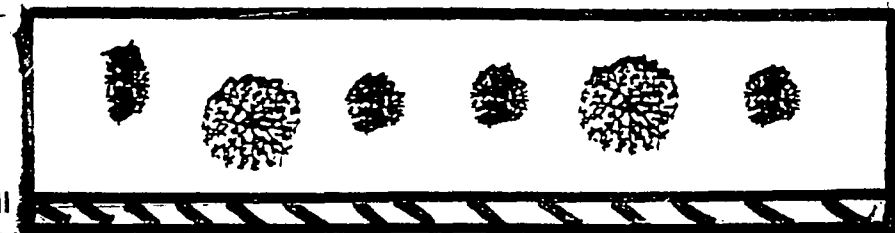
Combination of hedge  
and berms- avg. height  
2 1/2 ft. Max. slope- 3:1  
Total height adj. to  
property line- 6 ft.



15-20'

E.

Solid 6 ft. wall placed on  
interior edge of buffer,  
2 canopy trees and  
3 1/3 understory trees  
planted on exterior of wall



PL  
20' MIN.

# BRADENTON HERALD

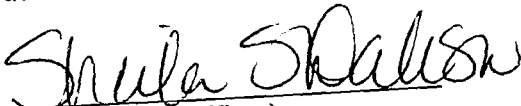
www.bradenton.com  
P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
941/745-7064

Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

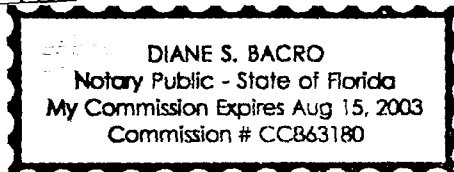
STATE OF FLORIDA  
COUNTY OF MANATEE;

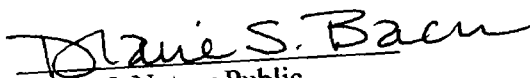
Before the undersigned authority personally appeared Sheila Dalesio, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of NOTICE OF CHANGE OF LAND USE in the Court, was published in said newspaper in the issues of November 17, 2000.

Affiant 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 1 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  
17<sup>th</sup> Day of November, 2000



  
SEAL & Notary Public  
Personally Known  OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



# NOTICE OF CHANGE OF LAND USE AFFECTING PROPERTY IN UNINCORPORATED MANATEE COUNTY

The Manatee County Board of County Commissioners will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended).

Dates: Tuesday, November 28, 2000

Time: 9:00 AM or soon thereafter

Place: Manatee County Government  
Administrative Center  
1112 Manatee Avenue West,  
1<sup>st</sup> Floor Chambers

## ORDINANCE 00-50

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FLORIDA AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); AMENDING CERTAIN PROVISIONS IN THE LANDSCAPING SECTION REGARDING SCREENING BUFFERS ADJACENT TO INDUSTRIAL USES; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

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

Rules of procedure for these public hearings are in effect pursuant to Resolution 94-90. A copy of this Resolution is available for review or purchase from the Planning Department (see address below).

Please Send Comments To: Manatee County Planning Department  
Attn: Agenda Coordinator  
1112 Manatee Ave. West Suite 427  
Bradenton, FL 34205

All written comments will be entered into the record.

For More Information: Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 749-3070 x 6829, between 8:00 AM - 5:00 PM.

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 Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, FAX 745-3790.

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

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME  
PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
Manatee County Planning Department  
Manatee County, Florida

11/28/00

89712

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

MANATEE COUNTY PLANNING DEPARTMENT

STATE OF FLORIDA  
COUNTY OF MANATEE

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

CHANGE OF LAND USE  
ORDINANCE 00-50

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

NOVEMBER 18, 2000

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.

*Moya Neville*

SIGNED \_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18TH DAY OF  
NOVEMBER A.D., 2000 BY MOYA NEVILLE WHO IS PERSONALLY  
KNOWN TO ME.

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

OFFICIAL NOTARY PUBLIC  
BOBBIE J CLARK  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC968394  
MY COMMISSION EXP. OCT. 11, 2004

NOTARY PUBLIC

# NOTICE OF CHANGE OF LAND USE AFFECTING PROPERTY IN UNINCORPORATED MANATEE COUNTY

The Manatee County Board of County Commissioners will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended).

**Dates:** Tuesday, November 28, 2000

**Time:** 9:00 AM or soon thereafter

**Place:** Manatee County Government Administrative Center  
1112 Manatee Avenue West  
1st Floor Chambers

## ORDINANCE 00-50

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FLORIDA AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED): AMENDING CERTAIN PROVISIONS IN THE LANDSCAPING SECTION REGARDING SCREENING BUFFERS ADJACENT TO INDUSTRIAL USES; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

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SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENT.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
Manatee County Planning Department  
Manatee County, Florida

**Manatee County**  
**Clerk of the Circuit Court and Comptroller**

R.B. "Chips" Shore

P.O. Box ~~XXXX~~ • Manatee County Courthouse • Bradenton, Florida 34206-~~XXXX~~ • (941) 749-1800 • FAX (941) 741-4082  
25400 5400

December 4, 2000

Liz Cloud, Chief  
Bureau of Administrative Code  
The Elliot Building  
401 South Monroe Street  
Tallahassee, Florida 32399-0250

Dear Ms. Cloud:

Enclosed are two certified copies of Ordinance 00-54 adopted by the Board of County Commissioners, Manatee County, Florida, in open session on November 28, 2000.

**ORDINANCE 00-50** AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED):

1. AMENDING CERTAIN PROVISIONS IN THE LANDSCAPING SECTION REGARDING SCREENING BUFFERS ADJACENT TO INDUSTRIAL USES AND PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Please stamp both copies with the date filed by the Office of the Secretary of State, retain one copy for your file and return one copy to my office.

Sincerely,  
R. B. Shore

By:   
Susan G. Romine, Deputy Clerk

RBS/SGR/jr  
Enclosures  
cc: Board Records

RECORDED 11/28/00  
PAGE NO. 588  
MINUTE BOOK NO. 47

FILED FOR RECORD  
R.B. SHORE  
CLERK CIRCUIT COURT  
MANATEE COUNTY FLORIDA

Dec 13 9 07 AM '00

**ORDINANCE 00-50**

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WHEREAS, the Manatee County Planning Commission held a public hearing session on October 5, 2000 on the above cited amendments with due public notice having

FILED  
DEC 13 9 07 AM '00  
CLERK OF CIRCUIT COURT  
MANATEE COUNTY, FLORIDA

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**PASSED AND DULY ADOPTED**, with a quorum present and voting, by the Board of County Commissioners of the County of Manatee, Florida this the 28th day of November, 2000.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: *Joe McClash*  
Chairman

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


By: *Susan B. Shore*  


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OPTION B includes 2 1/2 canopy trees and 33 shrubs

OPTION C includes either a 6 ft fence or shrubs and trees that will be 80% opaque

OPTION D includes combination of hedge and berms, avg. height 2 1/2 feet, max. slope 3:1, total height adjacent to property line 6 ft.

Add OPTION E as follows: OPTION E shall include a solid, decorative, opaque wall a minimum six (6) feet in height with 2 canopy trees and 3 1/3 understory trees per 100 l.f. The wall shall be placed at the interior edge of the buffer and the landscaping shall be placed on the exterior side of the wall. Should the applicant wish to propose an alternative to this requirement, the project must receive specific approval through the planned development process.

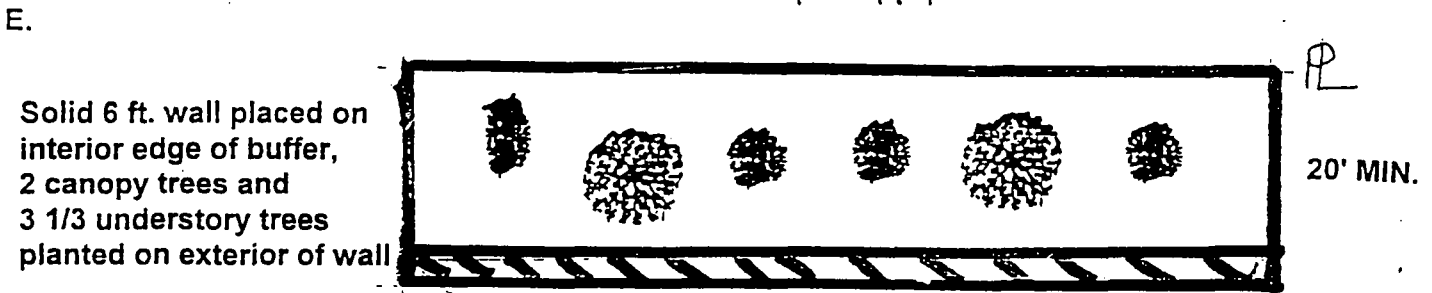
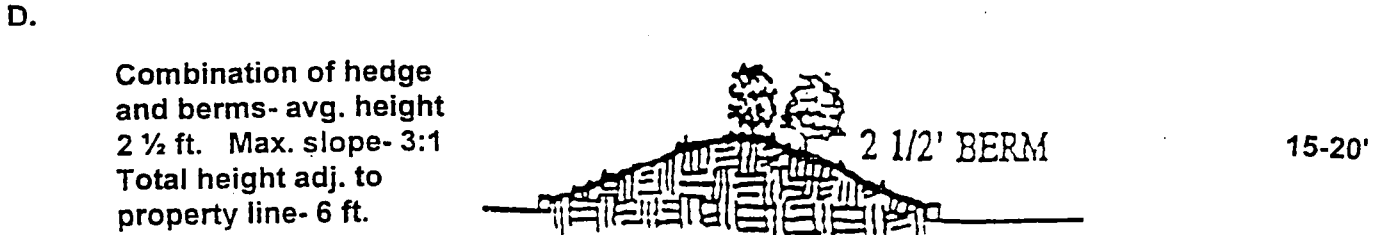
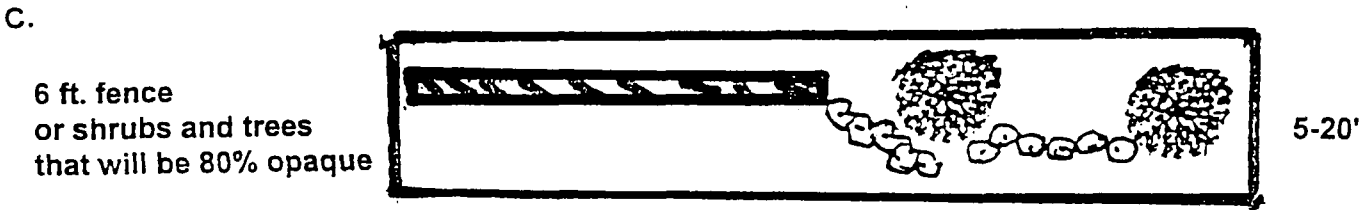
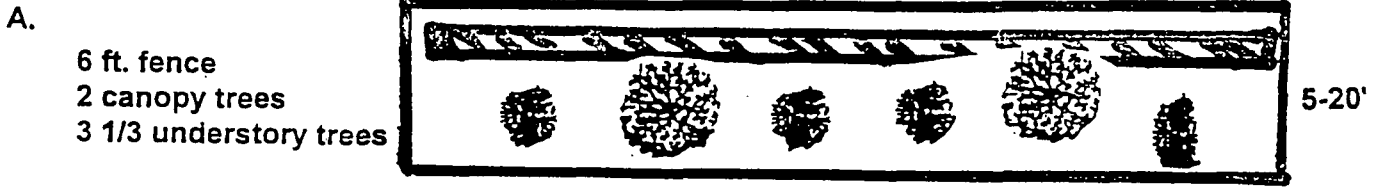
Section 715 D. amend as follows:

EXHIBIT A

BUFFER SCREENING MATRIX  
WIDTH OF BUFFER REQUIRED (IN FEET)

Proposed Use	Abutting Use/or Zoning												Warehouse	Intensive Ag Uses*
	Res. Excl. M.F.	Multi-Family	Res. Sup. Uses	Community Ser. Uses	Retail Commercial	Service Commercial	Misc. Service	Service	Indust.	Misc. Uses	Rec. Uses	Transp. Uses		
Res. Excl. M.F.	0	10	10	10	15	10	15	15	20	15	10	20	20	15
Multi-Family	10	0	5	10	15	10	10	10	20	10	10	20	15	10

FIGURE 715C. SCREENING BUFFER OPTIONS



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

Witness my hand and official seal this 4 day of

December, 2000  
R.B. SHORE  
Clerk of Circuit Court

By: Jane Roak  
D.C.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs  
Division of Elections  
Division of Historical Resources  
Division of Library and Information Services  
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Historic Palm Beach County Preservation Board  
Historic Pensacola Preservation Board  
Historic St. Augustine Preservation Board  
Historic Tallahassee Preservation Board  
Historic Tampa/Hillsborough County  
Preservation Board  
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
Secretary of State  
DIVISION OF ELECTIONS

December 6, 2000

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

FILED FOR RECORD  
DEC 13 9 07 AM '00

Attention: Janene Kearney, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated November 29 and December 4, 2000 and certified copies of Manatee County Ordinance Nos. PDR-00-05(Z)(P), Z-00-05, PDC-00-08(Z)(G), PDR-00-16(Z)(G), 00-18, 00-33, 00-34, 00-36, 00-37, 00-41, 00-46 and 00-50, which were filed in this office on December 6, 2000.

As requested, the original date stamped copies are being returned for your records.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

Enclosure

BUREAU OF ADMINISTRATIVE CODE

The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (850) 488-8427  
FAX: (850) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: [election@mail.dos.state.fl.us](mailto:election@mail.dos.state.fl.us)