

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

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

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

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

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

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

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

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

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

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

547-2561

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

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

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

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

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

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

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

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

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

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: Joe M. Clark  
Chairman

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

By: Russell B. Shore



**EXHIBIT "A"**

**Ordinance 01-10  
LDC Text and Maps Amendments**

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

741.3.2. *Provisions:*

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

- ***Median Opening Intersection:*** Median Opening Intersections shall be allowed only at the following University Parkway intersections:

Kentucky/28th Street Court East

Shade Avenue

Tuttle Avenue

Lockwood Ridge Road

Conservatory Drive

Whitfield Avenue

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

Saunders Road (extension)

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or as otherwise approved by the Board

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

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

Right Turn Intersections Prohibited:

Between Interstate 75 and State Road 70,

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

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

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

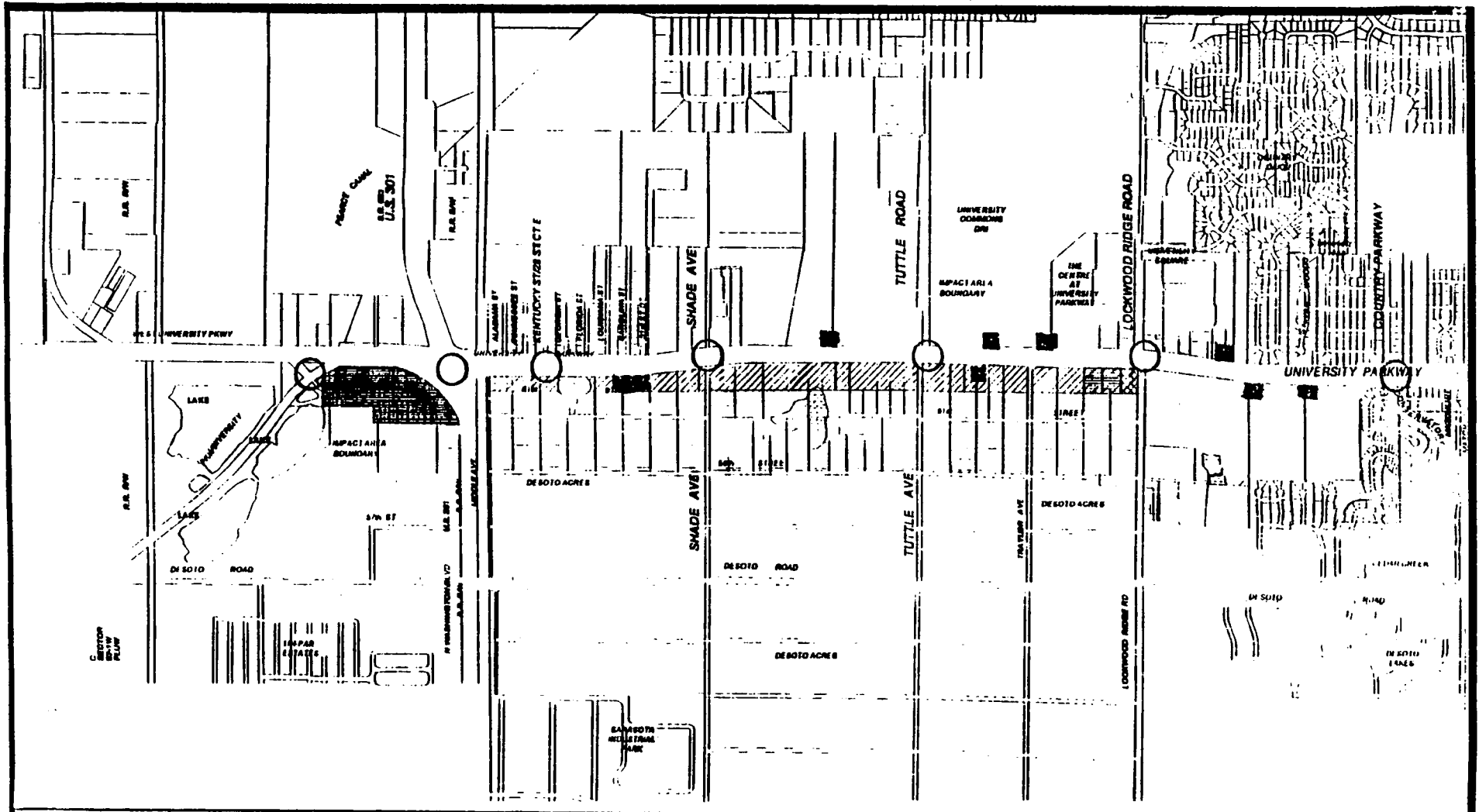
1. Between US 301 and Shade Avenue. None
2. Between Shade Avenue and Tuttle Avenue 1,001 feet west of the west right-of-way line of Tuttle Avenue and equally positioned on a north/south property line.
3. Between Tuttle Avenue and Lockwood Ridge Road beginning at seven hundred (700) feet west of the west right-of-way line of Lockwood Ridge Road and extending an additional two hundred twenty-eight (228) feet westward.
4. Between Tuttle Avenue and Lockwood Ridge Road beginning at eight hundred (800) feet east of the centerline of Tuttle Avenue and extending an additional two hundred (200) feet eastward.
- ~~4.5.~~ Between Lockwood Ridge Road and Conservatory Drive beginning at eight hundred sixty-five (865) feet west of the east right-of-way line of Lockwood Ridge Road and extending an additional four hundred thirty (430) feet eastward.
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- ~~6.7.~~ Between Honore Avenue and I-75 beginning at eight hundred fifty (850) feet east of the centerline of Honore Avenue and extending an additional two hundred (200) feet eastward.

- Temporary Right Turn Intersections:

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



- Discontinuation of use:

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



# Access Management for University Parkway

Figure 1 - West

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

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

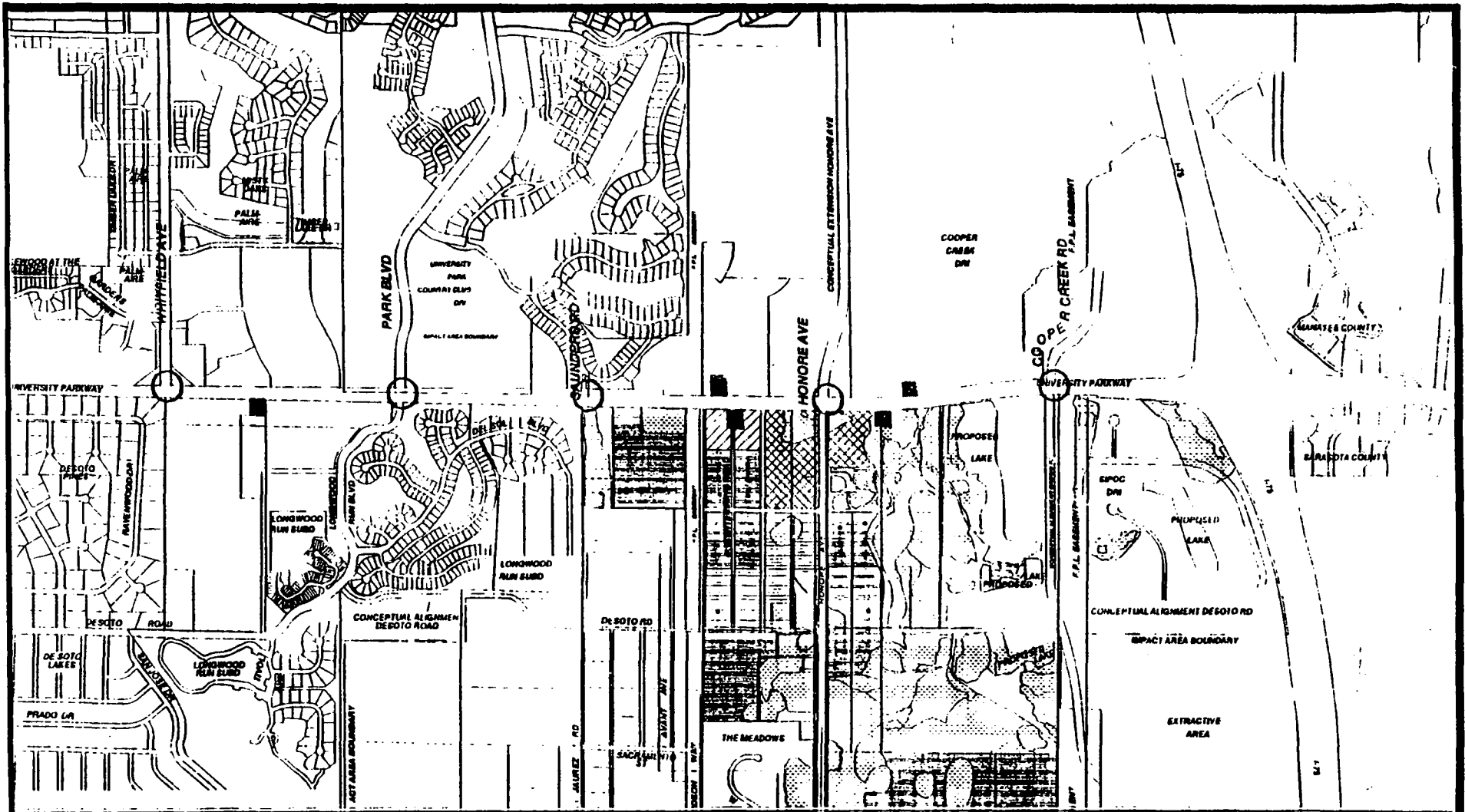


1 inch = 1100'



This map was prepared by the Planning and Research Department of the University of North Carolina. It is provided for general reference only and is not warranted in any way.

Map Prepared September 26, 2000



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

○ Median Opening Intersections

Access Roads Local Service

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

EXHIBIT 1 (page 5 of 5)



1 inch = 1000'



Prepared by:  
This map was developed by the Florida Department of Transportation with the use of MANDOT County Local Information System. It is provided for general reference only. No warranty is made or intended in any way.

Map Prepared September 28, 2000

# BRADENTON HERALD

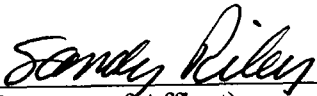
www.bradenton.com  
P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
941/748-0411 ext. 7065

Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

STATE OF FLORIDA  
COUNTY OF MANATEE;

Before me the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of NOTICE OF LAND DEVELOPMENT CODE-CHANGES IN UNINCORPORATED MANATEE COUNTY in the Court, was published in said newspaper in the issues of 12/29/00.

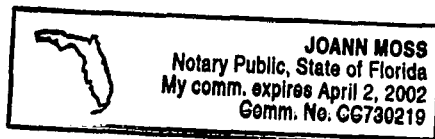
Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in 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.

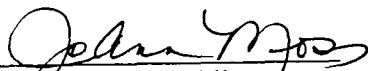


(Signature of Affiant)

Sworn to and subscribed before me this

29 Day of Dec, 2000





SEAL & Notary Public

Personally Known  OR Produced Identification

Type of Identification Produced \_\_\_\_\_



10006

## NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Board of 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, January 9, 2001

Time: 9:00 AM or soon thereafter

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

### ORDINANCE 00-61

**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); AMENDING THE NUMBER AND LOCATION OF ACCESS POINTS TO UNIVERSITY PARKWAY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

Rules of procedure for these public hearing 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, Fla. 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 is 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

12/29/00

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

MANATEE COUNTY GOVERNMENT  
1112 MANATEE AVE W. 4<sup>TH</sup> FLOOR  
ATTN: KIM SPARKS  
BRADENTON, FL 34206

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:

NOTICE OF LAND DEVELOPMENT CODE CHANGES  
ORDINANCE 00-61

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

December 29, 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.

SIGNED Moya Neville

SWORN TO AND SUBSCRIBED BEFORE ME THIS 29th DAY OF  
DECEMBER A.D., 2000 BY MOYA NEVILLE WHO IS PERSONALLY  
KNOWN TO ME.

(SEAL) [Signature]

FOR THE CLERK  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC968394  
MY COMMISSION EXP. OCT. 11, 2004

## NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

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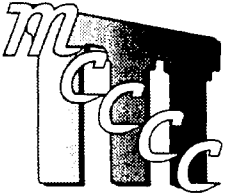
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SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

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

47187-122



Manatee County

Clerk of the Circuit Court and Comptroller

R.B. "Chips" Shore

P.O. Box 25400 • Bradenton, Florida 34206 • (941) 749-1800 • FAX (941) 741-4082 • www.clerkofcourts.com

January 12, 2001

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 each of Ordinance 01-10, adopted by the Board of County Commissioners, Manatee County, Florida, in open session on January 9, 2001.

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

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

Sincerely,

R. B. Shore

By Susan G. Romine, D.C.

RBS:SGR/MC

Enclosures

cc: Board Records

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

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FILED FOR RECORD  
R.R. SMITH  
CLERK OF COUNTY COMMISSIONERS  
JAN 22 12 40 PM '01

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FILED  
JAN 18 AM 13  
STATE OF FLORIDA

**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

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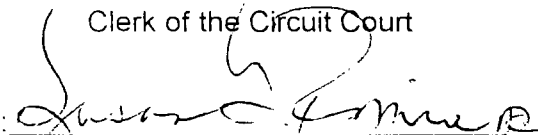
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BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By:   
Chairman

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

By: 



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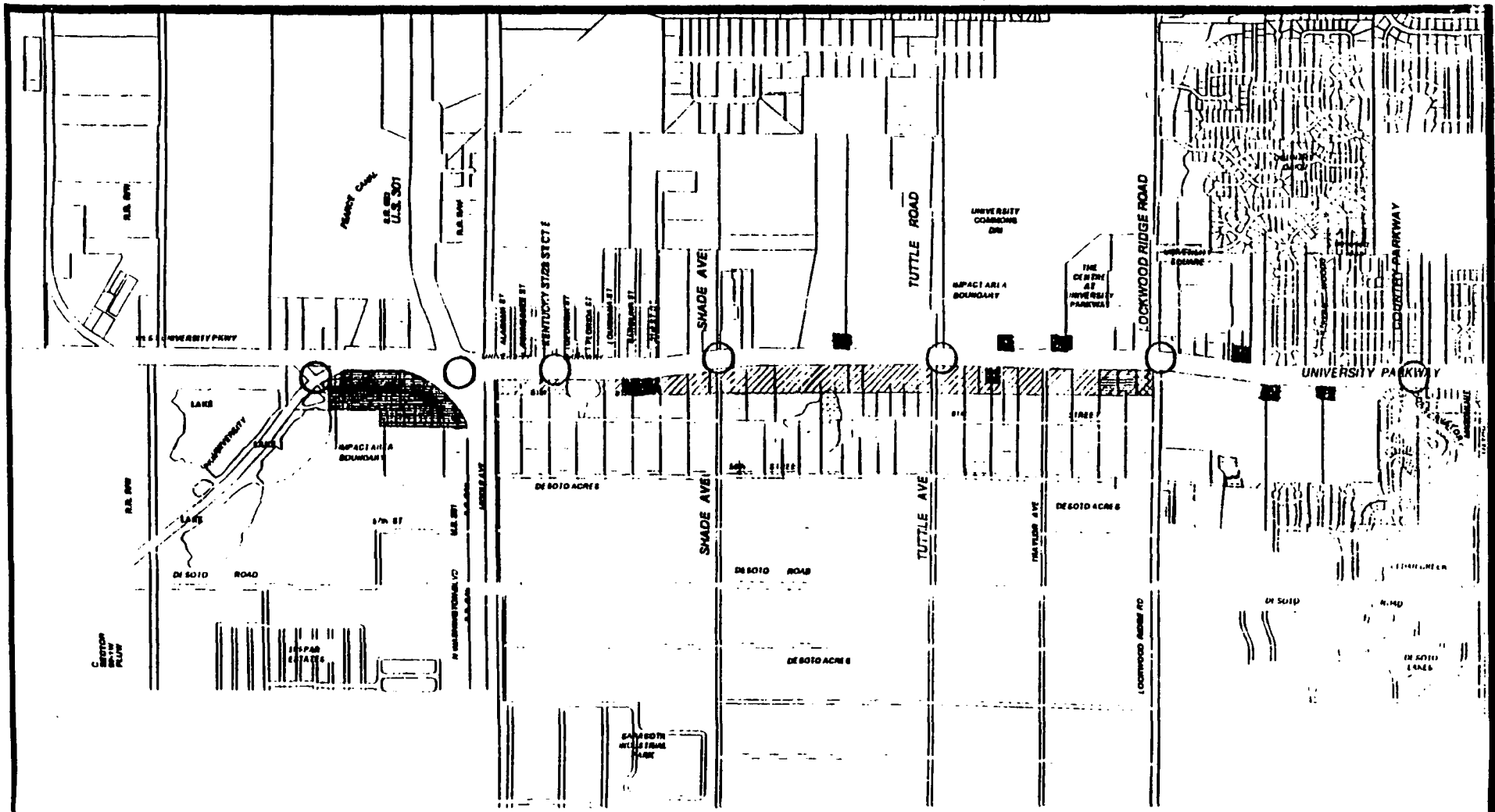
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# Access Management for University Parkway

Figure 1 - West

○ Median Opening Intersections

Access Roads Local Service

EXHIBIT 1 (page 4 of 5)

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

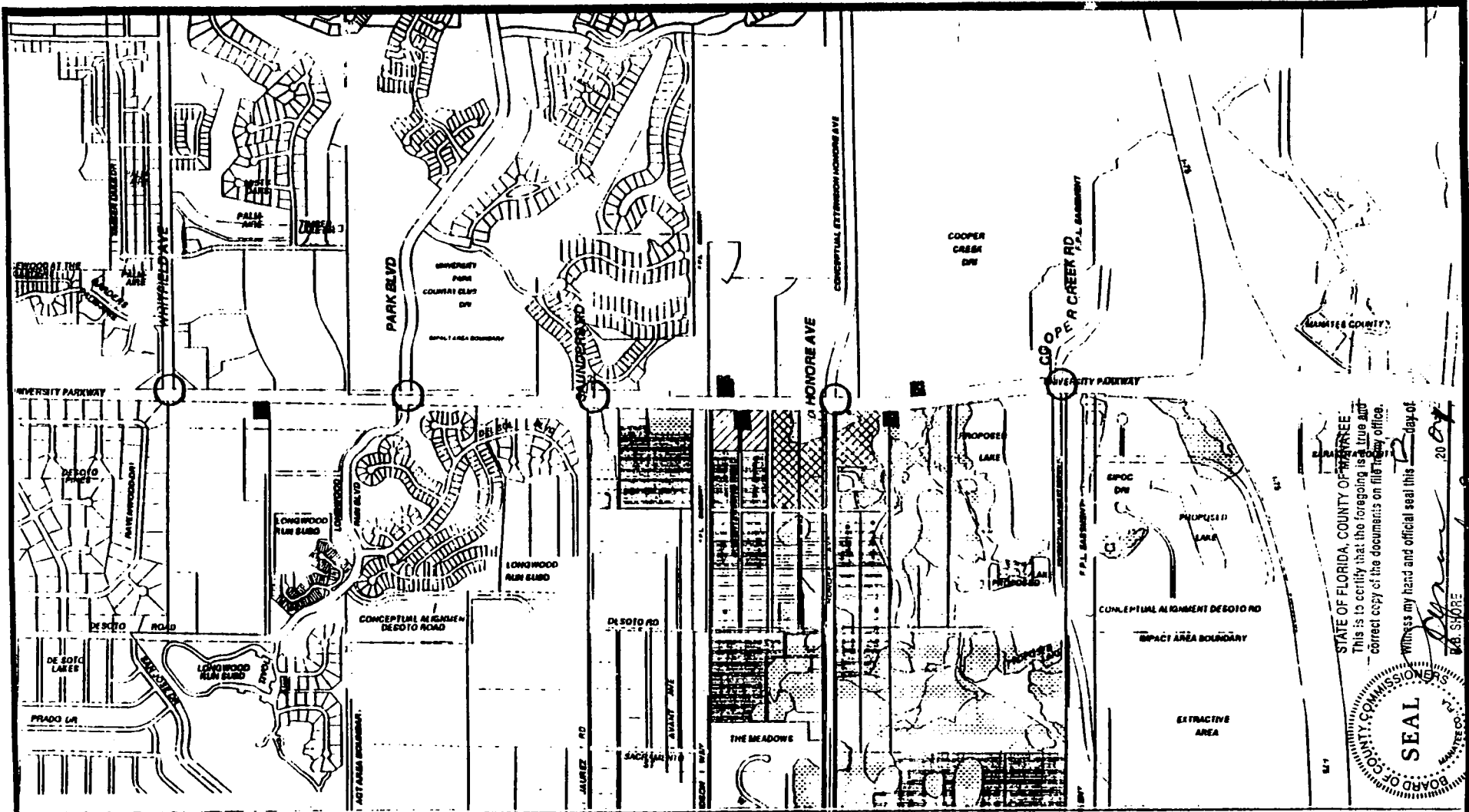


1 inch = 1100'



This map is provided for informational purposes only. It is not intended to be used for any other purpose. It is provided for general reference only and is not intended to be used for any other purpose. It is not intended to be used for any other purpose.

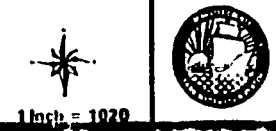
Map Prepared September 29, 2009



# Access Management for University Parkway Figure 2 - East

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

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



Prepared by:  
 The map is designed by the Florida Department of Transportation and the Manatee County Board of County Commissioners. It is provided for general information only. It is not intended to be used for any other purpose, and is not to be construed in any way.

**Map Prepared September 26, 2009**

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 12 day of October, 2009.  
 By: *[Signature]*  
 CLERK OF CIRCUIT COURT  
 MANATEE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS  
 SEAL  
 MANATEE COUNTY, FLORIDA

**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  
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MEMBER OF THE FLORIDA CABINET



**FLORIDA DEPARTMENT OF STATE**

**Katherine Harris**

Secretary of State

**DIVISION OF ELECTIONS**

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Preservation Board

**RINGLING MUSEUM OF ART**

January 18, 2001

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

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 January 12, 2001 and certified copies of Manatee County Ordinance Nos. PDC-00-06(Z)(P) and 01-10, which were filed in this office on January 18, 2001.

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

Sincerely,

A handwritten signature in black ink that reads "Liz Cloud".

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)