

**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.

FILED FOR RECORD
R.R. SMITH, CLERK
JAN 22 12 40 PM '01

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

FILED
JAN 18 AM 13
STATE
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

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 9th 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: *R. 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)

Honore Avenue

Cooper Creek Road/Brown Road

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,

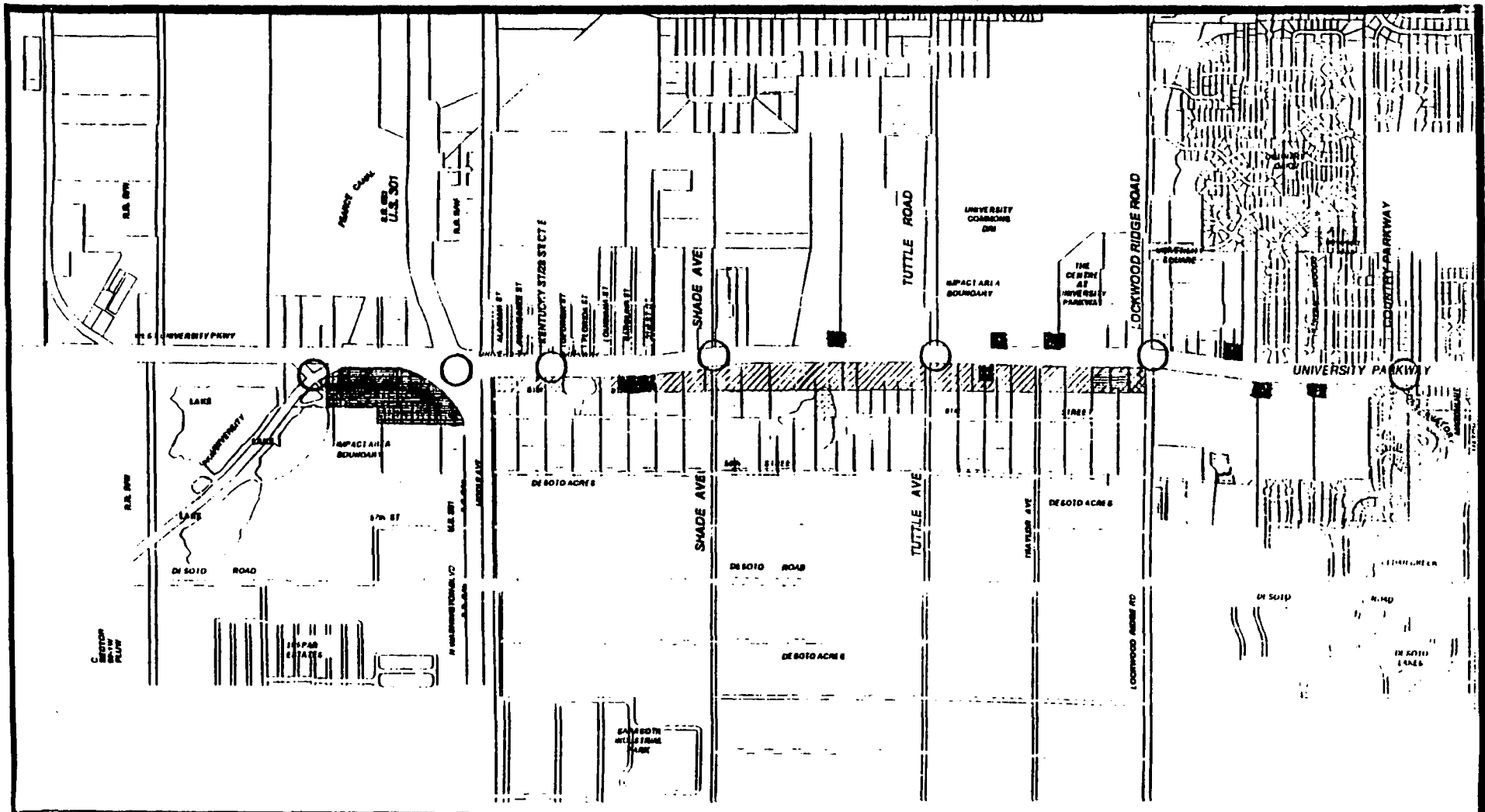
1. Between US 301 and Shade Avenue. None
2. Between Shade Avenue and Tuttle Avenue 1,001 feet west of the west right-of-way line of Tuttle Avenue and equally positioned on a north/south property line.
3. Between Tuttle Avenue and Lockwood Ridge Road beginning at seven hundred (700) feet west of the west 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.
- 5.6. Between Conservatory Drive and Honore Avenue beginning at one thousand ~~two~~ one hundred fifty ~~forty~~ (1,250) (1,140) feet west of the centerline of Honore Avenue and extending an additional ~~two~~ one hundred ~~(200)~~ (100) feet westward.
- 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

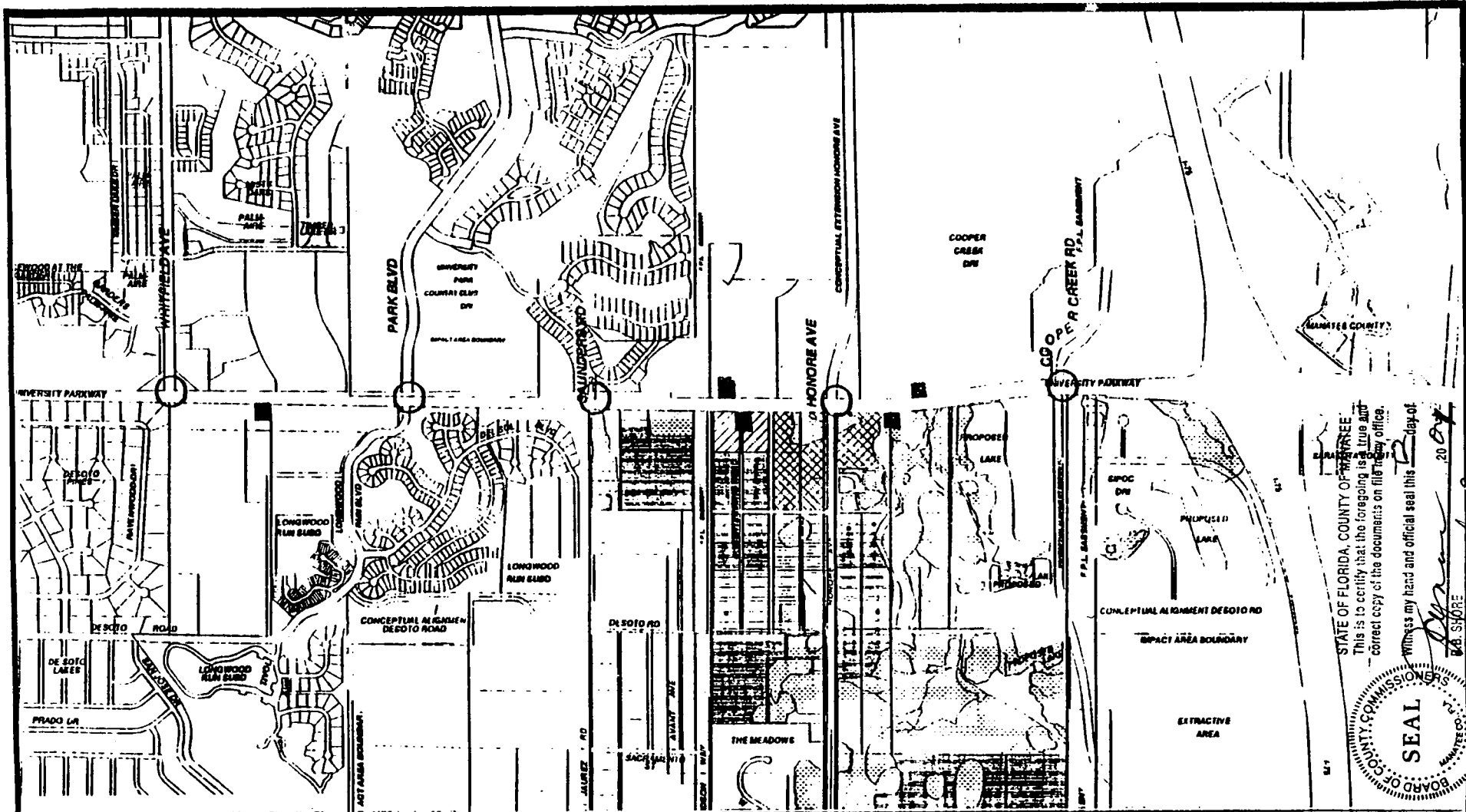
-  Median Opening Intersections
-  Right Turn In/Right Turn Out Intersections
(See text for location and dimensions)

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





This map was developed by the Planning Department of the University of North Carolina at Chapel Hill. 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
-  Right Turn In/Right Turn Out Intersections
(See text for location and dimensions)

Access Roads Local Service

EXHIBIT 1 (page 5 of 5)



1 Inch = 100'

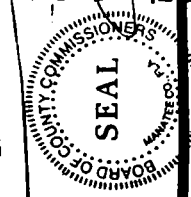


Approved:
This map is designed by the Florida Department of Transportation and the Manatee County Board of County Commissioners. It is possible for printed documents to be subject to change, and is not to be used in any way.

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 12th day of



2009

By: *[Signature]*
V. B. SHORE
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA

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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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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,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

Enclosure

BUREAU OF ADMINISTRATIVE CODE

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