

LDCT-23-12/ORDINANCE 23-63 (fka 22-68)
COUNTY INITIATED LAND DEVELOPMENT CODE TEXT AMENDMENT
AMENITY CENTERS

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING THE LAND DEVELOPMENT CODE BY ADDING THE DEFINITION OF "AMENITY CENTER" TO CHAPTER 2, SECTION 200, DEFINITIONS; ADDING AN EXEMPTION FOR REQUIRING A FINAL SITE PLAN FOR AMENITY CENTERS UP TO 2,000 SQUARE FEET OF CLIMATIZED FLOOR AREA UNDER CHAPTER 3, PART IV, SECTION 320.2.C.7; ADDING STANDARDS FOR AMENITY CENTERS UNDER CHAPTER 5, SECTION 511.20; REPHRASING AND REORGANIZING CHAPTER 5, SECTION 531.41 – RECREATION USES AND FACILITIES; MODIFYING SECTION 1005. – OFF-STREET PARKING, SECTION 1005.3 – NUMBER OF VEHICULAR PARKING SPACES REQUIRED, TABLE 10-2: PARKING RATIOS ADDING "AMENITY CENTER" WITH THE LOW INTENSITY RECREATIONAL USE, AND ADDING "PICKLEBALL," "HANDBALL," "SHUFFLEBOARD" TO "TENNIS COURTS" UNDER RECREATIONAL USES, AND CORRECTING SCRIVENER'S ERRORS; MODIFYING SECTION 1005. – OFF-STREET PARKING, SECTION 1005.3 – NUMBER OF VEHICULAR PARKING SPACES REQUIRED, TABLE 10-2: PARKING RATIOS TABLE NOTE 6 REQUIRING THE CALCULATION OF EACH USE OF THE PROPERTY, WHEN CALCULATING THE NUMBER OF PARKING SPACES, PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

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 Community Planning Act, Part II of Chapter 163, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings in the adoption of this Ordinance:

1. It is in the interest of the public health, safety and welfare to adopt the amendments set forth in this Ordinance (LDC Text Amendments) amending the Land Development Code to:
 - Amend Chapter 2, Section 200 Definitions to add the definition of "Amenity Center".
 - Amend Chapter 3, Review Authority and Procedures, to add an exemption for requiring a Final Site Plan for Amenity Centers up to 2,000 square feet in climatized floor area under Chapter 3, Part IV, Section 320.2.C.7.

- Amend Chapter 5, Standards for Accessory and Specific Uses and Structures, to add requirements and standards for Amenity Centers under Section 511.20.
 - Amend Chapter 5, Standards for Accessory and Specific Uses and Structures to rephrase and reorganize Section 531.41: Recreation Uses and Facilities.
 - Amend Chapter 10, Transportation Management to modify Section 1005.3, Table 10-2: Parking Ratios to add Amenity Center with the Low Intensity Recreational Use, and to add Pickleball, Handball, Shuffleboard to Tennis Courts under Recreational Uses, and correct scrivener's errors, and to modify Table 10-2: Parking Ratios Table Note 6 to require the calculation of each use of the property, when calculating the number of parking spaces.
2. Section 163.3174(4)c, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to consistency of the proposed land development regulations with the adopted Comprehensive Plan.
 3. Section 301.1.D., Land Development Code, authorizes the Planning Commission to hold public hearings and make recommendations as to proposed amendments to the text of the Land Development Code.
 4. The Planning Commission, acting in its capacity as the Local Planning Agency, held a duly noticed and advertised public hearing on April 13, 2023, as to the proposed LDC Text Amendment and found it to be consistent with the Manatee County Comprehensive Plan and the standards for review in Section 341, Land Development Code and has recommended their adoption to the Board.
 5. The Board held duly noticed and advertised public hearings on April 27, 2023, and May 24, 2023, to receive public comments and consider the recommendation of the Planning Commission as to the LDC Text Amendments.
 6. The adoption of the LDC Text Amendments will foster and preserve the public health, safety and welfare and aid in the harmonious, orderly, and progressive development of the County and thus will serve a valid public purpose.

Section 3. Adoption of the Land Development Code Text Amendment The Land Development Code Text Amendments attached to this Ordinance and incorporated herein as Exhibit "A" are hereby adopted as Amendments to the Land Development Code of the County. The Land Development Code Text Amendment shall consist of the following Chapters and Sections of the Land Development Code as set forth in the following Exhibit "A", with new text indicated by underline and deleted text indicated by ~~strikethrough~~.

Section 4. Codification. The publisher of the County's Land Development Code, the CivicPlus, is directed to incorporate the amendments in Section 3 of this Ordinance into the Land Development Code.

Section 5. Applicability. The amendments set forth in this Ordinance shall apply to all applications, decisions or controversies pending before the County upon the effective date hereof or filed or initiated thereafter.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 24th day of May 2023.



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

By: _____

Kevin Van Ostenbridge, Chairperson

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court and Comptroller

By: _____

Deputy Clerk

EXHIBIT A

TEXT AMENDMENT

CHAPTER 2 – DEFINITIONS

Section 200. – Definitions.

[***]

Alternative Support Structure shall mean clock towers, steeples, light poles, buildings, or similar structures that may support telecommunication facilities.

Amenity Center shall mean a private recreational facility, where the use includes, but is not limited to a gathering room, restroom, swimming pool, spa, splash pad, park, play equipment, tennis court, basketball court, pickleball court, handball court, shuffleboard court, putting green, gazebo, shade structure, trail, open space, or other similar uses, and not open to the general public. This facility shall not include an athletic field, golf course, driving range, paintball field, or other similar uses.

Ancillary Use. (See "Impact Fees.")

Animal Boarding Facility. (See "Animal Services (Wild and Exotic Animals).")

[***]

Chapter 3 – Review Authority and Procedures

[***]

Part IV. – Site Plan Review

[***]

320.2. Applicability.

Pursuant to this Code, in certain circumstances a site plan may be required as part of a submitted application for development approval, or may be considered and approved as a separate step in the development process (where authorized by this Code).

[***]

C. **Final Site Plan Review Required.** Final Site Plan review is required for all development projects, except the following activities:

1. *Dwellings.* One-family, two-family, or mobile home dwellings and their accessory uses and structures, including home occupations, but not including such uses which allow more than two (2) dwelling units per lot.
2. *Temporary Uses.*
3. *Limited Increase in Gross Floor Area.* When additions, improvements, or alterations to existing uses do not result in an increase of all the structures on the lot in excess of one thousand (1,000) square feet of gross floor area or equals ten (10) percent of the total existing gross floor area, whichever is greater, not to exceed two thousand (2,000) square feet in area.
4. *Change of Use with no Additional Parking Spaces Required.* A change of use within an existing structure, which does not require Special Permit approval and

does not require additional parking spaces pursuant to Section 1005, Off-Street Parking. See Section 345 for Zoning Compliance Permit requirements.

5. *Exempted Special Permits.* When the Department Director determines that the external modifications to an existing structure to be occupied by a Special Permit site would not require submission of a Final Site Plan.
6. *Agriculture.* Non-commercial agricultural buildings such as barns, storage structures and similar facilities which contain no wholesale or retail sales activities. Commercial agricultural buildings, such as greenhouses, shall, however, meet all requirements outlined in Chapter 5, Part II, Standards for Accessory Uses and Structures. This exemption shall not apply to any retail agricultural use, building or operation such as farm equipment and supply establishment.
7. *Amenity Centers - Minor.* An amenity center associated with a residential development, not to exceed two thousand (2,000) square feet in climatized floor area.

[***]

Chapter 5 – Standards for Accessory and Specific Uses and Structures

Part II. – Standards for Accessory Uses and Structures.

[***]

Section 511. – Specific Accessory Uses and Structures Allowed.

[***]

511.20 – Amenity Centers

Amenity Centers are allowable as an accessory use in a residential subdivision, subject to the provisions of this subsection:

A. Amenity Centers – Minor (for Subdivisions of 100 or Less Lots)

Amenity Centers for subdivisions of 100 lots or less are exempt from site plan approval, shall be approved administratively through a Building Permit, and are subject to the following requirements and limitations:

1. The location of the amenity center shall be approved no later than Preliminary Plat approval for standard zoning districts or Final Site Plan/Preliminary Plat approval for Planned Development subdivisions.
2. Screening buffer/irrigation details shall be approved with the Final Site Plan and/or Construction Drawings for the subdivision. Screening buffers shall be planted in accordance with Section 701, prior to Final Inspection or Certificate of Occupancy issuance.
3. Uses including, but not limited to a gathering room, restroom, swimming pool, spa, splash pad, park, play equipment, gazebo, shade structure, trail, open space, or other similar passive or “lower” intensity recreational uses, operated for the exclusive use of private residents and their guests.
4. The maximum climatized floor area shall not exceed 2,000 square feet.

5. A maximum of two (2) parking spaces shall be allowed directly accessible and perpendicular to the right-of-way. One (1) parking space shall be A.D.A. accessible. Parking lots and loading spaces shall be prohibited unless approved as a major amenity center, in accordance with Section 511.20.B. below.
6. Non-recreational accessory uses (i.e. personal services, restaurant, coffee shop, etc.), are prohibited.

B. Amenity Centers – Major (for Subdivisions of 101 or More Lots)

1. A separate Final Site Plan and/or Construction Drawings are required.
2. No building or structure used for or in connection with any such use shall be located within twenty (20) feet of any adjacent residential use/district. Additional setback width may be required, based upon the intensity of the proposed use, as determined by the Department Director.
3. No off-street parking or loading space shall be located within twenty (20) feet of any adjacent residential use/district.
4. Off-street parking or loading spaces shall be required for each individual use, in accordance with Section 1005.3., Table 10-2.
5. Screening buffers, landscaping and irrigation shall be required in accordance with Section 701.
6. Non-recreational accessory uses (i.e. personal services, restaurant, coffee shop, etc.), may be allowed if not open to the general public, and if approved as part of a Planned Development project.

[***]

Part IV. – Standards for Specific Uses.

Section 531. – Standards for Specific Uses.

[***]

531.41. - Recreation Uses and Facilities.

A. Generally, Passive, Low, Medium, and High Intensity Recreation Facilities. The following shall apply to all passive, low, medium, passive and high intensity recreation facilities:

1. No building or structure used for or in connection with any such use shall be located within fifty (50) feet of any adjacent adjoining property which is in a residential use/district. Additional setback width may be required, based upon the intensity of the proposed use, as determined by the Department Director.
2. No off-street parking or loading space shall be located within fifty (50) feet of any adjacent adjoining property which is in a residential use/district.

Chapter 10 - TRANSPORTATION MANAGEMENT

Section 1005. - Off-Street Parking.

1005.3. - Number of Vehicular Parking Spaces Required.

A. Minimum Parking Requirements. The minimum required number of off-street parking spaces shall be in accordance with Table 10-2, Parking Ratios. Handicap parking spaces shall be provided in accordance with F.S § 316.1955, the Americans with Disabilities Act and shall be counted as part of the total parking space requirement.

Table 10-2: Parking Ratios

Use	Spaces/Sq. Ft. or Unit of Measure	Notes

Commercial Uses:		

Lodging Places:		
Bed and Breakfast	1/Lodging Unit	
Boarding House	1/1.5 Beds + 1/500 GFA	
Boatel	1/250 Gross Office Area + 1/Lodging Unit + 1/5 Lodging Units for Guest Parking	6,± 13,± 18
Camps	1/2000 GFA	
Dormitories	1/1.5 Beds	
Hospital Guest House	1/1.5 Beds	
Hotels/Motels	1/Lodging Unit + 1/Ten Lodging Units	6,± 18
RV Parks	1 Parking Pad Per RV Site	
Miscellaneous Services:		
Office	1/400 Gross Office Area	11+18
Car Wash:		
Self-Serve	4 Stacking Spaces/Wash Bay	2

Use	Spaces/Sq. Ft. or Unit of Measure	Notes
Incidental	4 Stacking Spaces/Wash Bay	2
Full Service	10 Stacking Spaces/Wash Bay	2
Construction Service Establishments	1/300 GFA	11
Dry Cleaners (neighborhood, general and pick-up)	1/300 Gross Office Area	11
Exterminating and Pest Control	1/300 Gross Office Area	11
Food Catering	1/300 Gross Office Area	11
Funeral Chapel	1/Three Seats in Main Assembly Area	11 Chapel
Funeral Home	1/Each Three Seats in Each Parlor	11

Recreation Uses:

Passive Recreational Use		6+4+9
Swimming Pools	1/200 Square Feet of Pool Area	4
Amenity Center - Major /Low Intensity Recreational Use	1/3 Seats or 150 GFA Whichever is Greater	6+4+9
Tennis, Basketball, Pickleball, Handball, Shuffleboard Courts	2 Spaces/Court	6+4
Golf Course	5/Hole	6
Golf Driving Range	1/Tee Plus Additional, as Necessary, for Other Uses On-site	
High and Medium Intensity Recreational Uses	1/3 Seats or 150 GFA Whichever is Greater	6
Bowling Alleys	4/Alley	6
Dancing Establishment	1/60 GFA or 1/2 Seats for Counter Bars, 24 Lineal Inches Shall Count as One (1) Seat	6

Use	Spaces/Sq. Ft. or Unit of Measure	Notes
Private Neighborhood Parks/Pool Facilities (Serving 100 Lots/Units or Less)	1 Space Minimum for Parks and 2 Space Minimum for Pools	
[***]		

GFA = Gross Floor Area

Table Notes:

All references to employees shall be based on the maximum number of employees on the peak shift. Unless otherwise specifically indicated, all square footage shall be based on gross floor area measurement.

The required amount of parking spaces shall be calculated by adding the "Spaces/Sq. Ft. or Unit of Measure" column and the "Note" column. The following list includes additional parking requirements denoted in the note column:

1. Or a minimum of one (1) space for each employee based on the peak shift, whichever is greater.
2. Or a minimum of four (4) spaces.
3. Enclosed floor area gross, plus one (1) space for each two thousand (2,000) square feet of open sales display lot area.
4. Minimum five (5) spaces if not accessory to another use. At service stations and gas pumps, such parking shall be adequate to serve both employees and those customers not obtaining gasoline products.
5. Four (4) stacking spaces per each drive-through lane, measured from the speaker board, exclusive of any on-site travel lanes. Five (5) stacking spaces, measured from the drive-thru teller position.
6. Restaurants, assembly rooms, theaters, and other similar intensive uses shall be calculated separately for each use ~~for which the floor area exceeds twenty (20) percent of the shopping center gross floor area.~~
7. An on-site service drive.
8. Or one (1) space per four hundred (400) square feet of gross office area, plus one (1) space per one thousand (1,000) square feet of the remaining gross floor area.
9. Based on a review by the Department Director of each proposal including such factors as the designed capacity of all assembly rooms and meeting areas. The availability of areas on-site that can be used for auxiliary parking in times of peak demand shall also be considered, but in no instance less than one (1) space per full-time employee, plus a sufficient number of spaces to accommodate the greatest anticipated number of people in attendance at the facility at any one time. An independent parking study may be required at the discretion of the Department

Director to analyze the parking requirements. Said study shall be prepared by an engineer or architect, cost of which shall be borne by the applicant.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 25, 2023

Honorable Angelina Colonnese
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, FL 34206

Attention: Vicki Tessmer

Dear Honorable Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 23-63, which was filed in this office on May 25, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

From: municodeords@civicplus.com
To: [Vicki Tessmer](#); nicole.knapp@mymanatee.org
Subject: Manatee County, FL Land Development Code - 2016 (12202) Supplement 16 Update 1
Date: Wednesday, June 7, 2023 3:45:45 PM

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Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 23-61	5/24/2023	6/7/2023	Word
Ordinance No. 23-62	5/24/2023	6/7/2023	Word
Ordinance No. 23-63	5/24/2023	6/7/2023	Word
Ordinance No. 23-64	5/24/2023	6/7/2023	Word



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