

## Manatee County Zoning Ordinance

### PDC-18-15(Z)(G) – GIDDENS/COMMERCIAL DEVELOPMENT – RANDY L. GIDDENS, TRUST AND HELAINE A. GIDDENS TRUST (OWNERS) – COX PROPERTIES IIIA, LLC (CONTRACT PURCHASER) PLN1807-0022

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 REZONE OF APPROXIMATELY 18.22 ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF SR 64 EAST AND 117<sup>TH</sup> STREET EAST, BRADENTON (MANATEE COUNTY) FROM A (GENERAL AGRICULTURE) (APPROXIMATELY 5.82 ACRES) AND A-1 (SUBURBAN AGRICULTURE) (APPROXIMATELY 12.4 ACRES) TO THE PDC (PLANNED DEVELOPMENT COMMERCIAL) ZONING DISTRICT; APPROVING A GENERAL DEVELOPMENT PLAN FOR UP TO 150,000 SQUARE FEET OF COMMERCIAL/RETAIL USES; APPROVING A SCHEDULE OF PERMITTED AND PROHIBITED USES AS VOLUNTARILY PROFFERED BY THE APPLICANT AND ATTACHED AS EXHIBIT B; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Helaine A. Giddens, Trust and Randy L. Giddens, Trust (Owners) / Cox Properties IIIA, LLC (Contract Purchaser) (the "Applicants") filed an application to rezone approximately 18.22 acres described in Exhibit "A", attached hereto, (the "property") from A (General Agriculture) (approximately 5.82 acres) and A-1 (Suburban Agriculture) (approximately 12.4 acres) to the PDC (Planned Development Commercial) zoning district; and

**WHEREAS**, the applicant also filed a General Development Plan for up to 150,000 square feet of commercial/retail uses (the "project") on the property; and

**WHEREAS**, the applicant also filed a voluntary Schedule of Permitted and Prohibited Uses, Exhibit "B" attached hereto; and

**WHEREAS**, the applicant also filed a request for Specific Approval for an alternative to Land Development Code Sections: 1) 511.6.C to allow a wall or fence of 10-feet in height to be located behind the landscape material proposed along the southern boundary of the stormwater pond; 2) 701.4.A.1 location of landscaping and 701.4.B.3. Table 7-3, Option "E", to allow the proposed six-foot fence to be placed outside of the perimeter buffer to avoid issues with existing fence at property line of abutting residential development; and

**WHEREAS**, the Building and Development Services staff recommended approval of the rezone, General Development Plan, Schedule of Permitted and Prohibited Uses (as voluntarily proffered

by the applicant) Exhibit “B” and Specific Approval applications subject to the stipulations contained in the staff report; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on January 16, 2019 to consider the rezone, General Development Plan, Schedule of Permitted and Prohibited Uses (as voluntarily proffered by the applicant) Exhibit “B” and Specific Approval applications, received the staff recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

**WHEREAS**, the Manatee County Planning Commission, as the County's Local Planning Agency, found the applications consistent with the Manatee County Comprehensive Plan, and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the applications subject to the stipulations contained in the staff report.

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA;**

Section 1. **FINDINGS OF FACT.** The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

- A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment and General Development Plan as it relates to the real property described in Exhibit "A" of this Ordinance from A (General Agriculture) (approximately 5.82 acres) and A-1 (Suburban Agriculture) (approximately 12.4 acres) to the PDC (Planned Development Commercial) zoning district.
- B. The Board of County Commissioners, after due public notice, held public hearings on February 6, February 20 and October 22, 2020 regarding the proposed Official Zoning Atlas Amendment and General Development Plan as described herein in accordance with the requirements of the Manatee County Land Development Code, and has further considered the information received at said public hearing.
- C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.
- D. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 511.6.C., the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent or greater degree by a taller fence and trees and hedge landscaping exterior of the fence.

- E. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Sections 701 4.A.1 and 701.4.B.3 – Table 7-3, Option “E”, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree because the fence and the required landscape screening material will still be provided between the development to the north and the uses proposed on-site as it will be placed on the south side of the stormwater pond.
- F. The relocation of the Gates Creek Tributary within the Project Limits, as per Section 801.3.a. Land Development Code, furthers the overriding public interest of: (a) the provision of additional stormwater conveyance capacity and stormwater floodplain storage, (b) the removal of an existing undersized culvert crossing resulting in the removal of an existing chokepoint, which presently leads to inundation and (c), the provision of detailed drainage modeling of the full extent of the Gates Creek Tributary and the provision of the applicable drainage easement as described in Stipulations (C1, C2 and C.3) of this Ordinance.

**Section 2. GENERAL DEVELOPMENT PLAN.** The General Development Plan is hereby approved for up to 150,000 square feet of commercial/retail uses upon the property subject to the following Stipulations:

## **STIPULATIONS**

### **A. DESIGN AND LAND USE**

1. The uses allowed within this planned development shall be limited to those listed in Exhibit “B” voluntarily proffered by the Applicant and attached to this Ordinance and made a part hereof by reference.
2. All roof mounted HVAC equipment shall be screened from view from SR 64, and adjacent residential uses to the north and east, with a solid parapet wall or other visual and noise deflecting materials. The materials shall be consistent with the construction of the principal building(s). Compliance shall be verified with review of the building permit.
3. All dumpsters, compactors, and other utility equipment shall be screened with a six-foot high wall constructed with building materials consistent with the principal building(s). Compliance shall be verified with review of the building permit.
4. The setback from the northern property line shall be a minimum of 160-feet as shown on the GDP.
5. The following stipulations shall apply if “vehicle sales, rental, or leasing” or “vehicle repair” uses are developed on the site:
  - a. Operating hours shall be limited to the hours between 6:30 a.m. and 8:00 p.m. Monday through Saturday and 10:00 a.m. through 6:00 p.m. on Sunday.
  - b. Lighting, other than motion sensor security lighting, shall be prohibited during the hours between 10:00 p.m. and 6:00 a.m.

6. A twenty-foot-wide landscape buffer, containing a hedge and two offset rows of 10-foot canopy trees with a 4-foot spread and understory trees shall be provided at 3 canopy and 3 understory trees per 100 linear feet. This landscape buffer shall be installed along the north, east, and west sides of the project as depicted on the General Development Plan.
7. Developer shall provide a ten-foot noise-attenuating wall/fence along the northern portion of the development area as depicted on the General Development Plan, with such wall/fence being of consistent design and quality with the walls/fences shown in the Specific Approval Request.

## **B. ENVIRONMENTAL**

1. There are no impacts to jurisdictional wetlands approved by the adoption of this Ordinance.
2. All other applicable local, state or federal permits shall be obtained prior to commencement of development.
3. The developer shall provide an updated study (if original is more than 1 year old), 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. The Management Plan, and correspondence and permits, approved by the State (Florida Fish and Wildlife Conservation Commission) shall be submitted prior to the commencement of development for any listed species found on site. Evaluation of the proposed development site shall contain dates of field review, name and qualifications of individual(s) conducting the field review – including authorized Gopher Tortoise Agents, a statement of the methodology used to conduct the habitat assessment and biological survey, a map indicating where listed species (or nests or burrows) were observed on the site, a list of all species observed on site, and a habitat management plan describing measures proposed by the applicant to ensure non-disturbance, relocation or other acceptable mitigative measures. A 100% survey for gopher tortoise is required within 90 days of any construction or land clearing.
4. At the time of FSP the applicant will need to provide documentation that the wetland buffer is adequate to reduce the adverse impacts of the adjacent land uses to wetlands. This will include documentation that the wetland and wetland buffer achieve viable, sustainable ecological and hydrological functions.
5. 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 355 of the LDC.
6. 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.
7. A Well Management Plan for the proper protection and abandonment of the identified existing well 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).
  - The methodology used to secure the well during construction (e.g. fence, tape).
  - The final disposition of the well – used, capped, or plugged.

## C. STORMWATER

1. Pursuant to Section 801 and 802 of the Land Development Code and Code of Federal Regulations (CFR), Title 44, Section 60.3, the subsequent Final Site Plan and Construction Plan submittal(s) and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the FEMA 2014 FIRM 100-year floodplain, the County 25-year floodplain, and post-development discharge of runoff.

With respect to drainage modeling, the following storm frequency events, corresponding cumulative rainfall, and rainfall distribution shall be provided as a comparison of the existing pre-development condition versus the proposed post-development development condition:

<u>Storm Frequency</u>	<u>Cumulative Rainfall</u>	<u>Rainfall Distribution</u>
10-year/24-hour	7 inches	FLMOD
25-year/24-hour	8 inches	FLMOD
100-year/24-hour	10 inches	FLMOD
100-year/72-hour	18 inches	FDOT-72

The comparison of existing pre-development condition versus the proposed post-development development condition shall include results in terms of runoff and staging. Drainage Modeling shall be submitted to demonstrate compliance prior to commencement of construction.

2. All fill within the 25- and 100-year floodplain shall be compensated by the creation of post-development storage volume equivalent to 125% of the proposed floodplain impact volume. Storage volume will only be creditable above seasonal high water table. In addition, the applicant will be required to demonstrate through drainage modeling that no adverse impacts are created to adjacent properties.
3. To provide stormwater retention and flowage for the project, a drainage Easement shall be dedicated to Manatee County and shall be shown on the Final Site Plan along Gates Creek Tributary within the project boundaries. To provide stormwater retention and flowage for the project, a 25 feet Drainage-Maintenance Access Easement shall be provided along Gates Creek Tributary. Manatee County is only responsible for maintaining the free flow of drainage through these systems.
4. With respect to the 117<sup>th</sup> Street East proposed roadway improvements, shown on the General Development Pan necessary for access to the development, drainage runoff shall be collected and conveyed to the internal drainage system, associated with this development, for water quality treatment and attenuation. Drainage runoff associated with the 117<sup>th</sup> Street East improvements shall be retained onsite, and not accounted towards the allowable pre-development 25-year/24-hour rate of discharge.

Alternatively –

The applicant will be required to demonstrate, through modified drainage modeling, utilizing the existing Greyhawk Landing stormwater system will not create adverse drainage impacts.

#### **D. TRANSPORTATION**

1. A detailed traffic analysis will be required prior to final site plan approval depending on type and size of development. Additional on-site and/or off-site improvements may be required as the property is developed.

#### **E. INFRASTRUCTURE**

1. 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. Such off-site extension shall be designed and constructed in accordance with the County's Wastewater System Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by the County Engineer through the construction plans review process for the project.

**Section 3. SPECIFIC APPROVAL.** Specific Approval is hereby granted for alternatives to Land Development Code Sections: 1) 511.6.C to allow a wall or fence of 10-feet in height to be located behind the landscape material proposed along the southern boundary of the stormwater pond; 2) 701.4.A.1 location of landscaping and 701.4.B.3. Table 7-3, Option "E", to allow the proposed six-foot fence to be placed outside of the perimeter buffer to avoid issues with existing fence at property line of abutting residential development.

**Section 4. AMENDMENT OF THE OFFICIAL ZONING ATLAS.** The Official Zoning Atlas of Manatee County (Ordinance No. 15-17, the Manatee County Land Development Code) is hereby amended by changing the zoning district classification of the property described in Exhibit "A" incorporated by reference herein from A (General Agriculture) (approximately 5.84 acres) and A-1 (Suburban Agriculture) (approximately 12.4 acres) to the PDC (Planned Development Commercial) zoning district, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Building and Development Services Department are hereby instructed to cause such amendment to the Official Zoning Atlas.

**Section 5. 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 section, sentence, clause, or provision shall be deemed severable, and 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 6. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.


**Section 7. STATE AND FEDERAL PERMITTING.** The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 8. 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,** by the Board of County Commissioners of Manatee County, Florida on the 22<sup>nd</sup> day of October 2020.



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

BY:   
Betsy Benac, Chairman

**ATTEST: ANGELINA COLONNESO**  
Clerk of the Circuit Court

BY:   
Deputy Clerk

**Exhibit “A”  
Legal Description**

**PARCEL ID 564730509:**

THAT PART OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SE CORNER OF THE SW 1/4 OF SAID SECTION 29; THENCE N 00 DEG 24 MIN 36 SEC W, ALONG THE EAST LINE OF SAID SW 1/4 , A DISTANCE OF 241.55 FEET TO A POINT ON THE NORTH R/W LINE OF SR 64 (A 100 FT WIDE R/W) FOR THE POB; THENCE N 81 DEG 58 MIN 25 SEC W, ALONG SAID R/W LINE, 68.61 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 5779.58 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND SAID R/W LINE, THROUGH A CENTRAL ANGLE OF 06 DEG 28 MIN 59 SEC, A DISTANCE OF 653.97 FEET (CHORD=653.62; CHORD BEARING= N 85 DEG 12 MIN 57 SEC E); THENCE N 88 DEG 27 MIN 25 SEC W. ALONG SAID R/W LINE 473.19 FEET; THENCE LEAVING SAID R/W LINE GO N 17 DEG 02 MIN 11 SEC E. 737.84 FEET; THENCE N 90 DEG 00 MIN 00 SEC E, 144.05 FEET; THENCE N 00 DEG 00 MIN 00 SEC E. 68.75 FEET; THENCE N 90 DEG 00 MIN 00 SEC E, 825.99 FT TO A POINT ON THE EAST LINE OF SAID SW 1/4 ; THENCE S 00 DEG 24 MIN 36 SEC E, ALONG SAID EAST LINE 851.07 FEET TO THE POB. LESS ROAD RIGHT-OF-WAY DESCRIBED IN THE STIPULATED FINAL JUDGMENT RECORDED IN O.R. BOOK 1811, PAGE 3590, AND THE WARRANTY DEED RECORDED IN O.R. BOOK 2092, PAGE 1115, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

**PARCEL ID 564730259 (Legal Description taken from Manatee County Property Appraisers)**

THAT PART OF SEC 29, TWN 34S, RNG 19E, MORE PARTICULARLY DESC AS FOLLOWS: COM AT SE COR OF SW1/4 OF SD SEC 29; TH N 00 DEG 24 MIN 36 SEC W, ALG E LN OF SD SW1/4, A DIST OF 241.55 FT TO A PT ON N R/W LN OF STATE RD 64 (A 100 FT WIDE R/W); TH CONT N 00 DEG 24 MIN 36 SEC W, ALG SD E LN, A DIST OF 851.08 FT; TH W, 155.0 FT FOR A POB; TH CONT W, 250.0 FT; TH S 200.0 FT; TH E, 250.0 FT; TH N 200.0 FT TO POB. TOGETHER WITH A 30 FT WIDE EASMT FOR INGRESS/EGRESS AND UTILITIES OVER AN ACROSS THE FOLLOWING DESC PROPERTY; COM AT SE COR OF SW1/4 OF SEC 29; TH N 00 DEG 24 MIN 36 SEC W, ALG E LN OF SD SW1/4, A DIST OF 241.55 FT TO A PT ON N R/W LN OF STATE RD 64 (A 100 FT WIDE R/W); TH CONT N 00 DEG 24 MIN 36 SEC W, ALG SD E LN A DIST OF 851.08 FT FOR A POB; TH W, 155.0 FT; TH S 30.0 FT; TH E, 155.21 FT TO A PT ON AFOREMENTIONED E LN OF SW1/4 OF SEC 29; TH N 00 DEG 24 MIN 36 SEC W, ALG SD E LN, A DIST OF 30.0 FT TO POB.



## Exhibit “B”

### Schedule of Uses – Giddens Commercial Development – PDC-18-15(Z)(G) – PLN1807-0022

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
<b>AGRICULTURAL USES</b>														
Agricultural Research Facilities	--	X	X	P	P	X	P	X	P	X	X	X	P	P
Agricultural Uses	531.4	P	P	<del>P</del>	P	P	P	P	P	P	P	X	P	P
Agricultural Products Processing Plants	531.4	X	X	<del>X</del>	X	P	X	X	P	X	X	X	P	P
Animal Products Processing Facility	531.4	X	X	<del>X</del>	X	P	X	X	SP	X	X	X	P	P
Short Term Agricultural Uses	531.1	P	X	P	X	X	X	X	P	X	X	X	P	P
Stables or Equestrian Centers: Private	531.4	P	X	<del>X</del>	X	X	X	X	P	P	P	X	P	X
Stables or Equestrian Centers: Public	531.4	X	X	<del>P</del>	X	X	P	X	P	X	X	X	P	X
Tree Farm	531.4	X	X	<del>X</del>	X	X	P	X	P	X	X	X	P	X
Animal Services (Wild and Exotic)	531.5	P	P	<del>P</del>	P	P	P	P	P	P	P	P	P	P
Breeding Facility (Non-Wild & Exotic)	531.8	X	X	<del>P</del>	P	P	P	X	P	X	X	X	P	X
Farming Service Establishments	531.18	X	X	<del>P</del>	X	X	X	X	P	X	X	X	P	P
Farm Worker Housing	531.19	X	X	<del>X</del>	X	X	X	X	X	X	X	X	X	X
Pet Service (Kennel) Establishments	531.38	X	X	P	P	X	X	X	P	X	X	X	P	X
Sawmills	531.4	X	X	<del>X</del>	X	P	X	X	P	X	X	X	X	P
Slaughterhouses	531.4	X	X	<del>X</del>	X	P	X	X	P	X	X	X	X	X
Stockyards and Feedlots <sup>4</sup>	531.4	X	X	<del>X</del>	X	P	P	X	P	X	X	X	X	X
Veterinary Hospitals	531.58	X	X	P	X	P	P	X	P	X	X	X	X	X
<b>COMMERCIAL - RETAIL</b>														
Alcoholic Beverage Establishment	531.4	X	X	SP	X	SP	X	SP	SP	X	X	X	X	X

\* The “strike-through” uses are Applicant self-imposed prohibitions.

Last Revised 04/25/2019

## Exhibit “B”

Alcoholic Beverage Establishment- 2 COP License	531.4	X	X	P	X	X	X	X	P	X	X	X	X	X
Auction Houses, Enclosed	--	X	X	P	X	P	X	X	P	X	X	X	X	X
<del>Auction Houses, Open</del>	<del>531.6</del>	X	X	<del>P</del>	X	P	X	X	P	X	X	X	X	X
Building Materials Sales Establishment	531.9	X	X	P	X	X	X	X	P	X	X	X	X	X
<del>Lumberyard</del>	<del>531.9</del>	X	X	<del>X</del>	X	P	X	X	P	X	X	X	X	P
Drive- Through Establishments	531.16	X	X	P	P	P	X	X	P	X	X	X	X	P
Gas Pumps	531.51	X	X	P	P	P	P	P	P	P	X	X	X	P
Recreational Vehicle/Mobile Home Sales, Rental & Leasing	531.43	X	X	P	X	X	X	X	P	P	X	X	X	X
Restaurant	531.48	X	P	P	P	P	X	P	P	X	X	X	X	P
Retail Sales, Neighborhood Convenience	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
<del>Medical Marijuana Treatment Center Dispensing Facility</del>	<del>531.49</del>	X	P	<del>P</del>	P	P	X	P	P	P	P	X	P	X
Retail Sales, General	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
Service Station	531.51	X	X	P	X	P	X	X	P	X	X	X	X	P
Vehicle Sales, Rental, Leasing	531.57	X	X	P	X	P	X	X	P	X	X	X	X	X
<b>COMMERCIAL - SERVICES</b>														
Bed and Breakfast	531.7	P	X	P	X	X	X	P	P	X	X	X	P	X
Business Services	--	X	P	P	P	P	P	X	P	X	X	X	X	X
Printing, Medium	--	X	X	P	X	P	X	X	P	X	X	X	X	X
Printing, Small	--	X	P	P	X	P	X	X	P	X	X	X	X	X
Car Wash: Full Service	531.1	X	X	P	X	P	P	X	P	X	X	X	X	X
Car Wash: Incidental	531.1	X	X	P	X	P	P	X	P	X	X	X	X	X

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Last Revised 04/25/2019

## Exhibit “B”

Car Wash: Self-Service	531.1	X	X	P	X	P	P	X	P	X	X	X	X	X
Clinics	--	X	P	P	X	X	P	X	P	X	X	X	X	X
Equipment sales, rental, leasing, storing and repair - heavy	531.18	X	X	P	X	P	X	X	P	X	X	X	X	P
Construction equipment	531.18	X	X	P	X	P	P	X	P	X	X	X	X	X
Equipment sales, rental, leasing, storing and repair - light	--	X	X	P	X	P	X	X	P	X	X	X	X	
Food Catering Service Establishment	531.21	X	X	P	X	P	X	X	P	X	X	X	X	X
Funeral Chapel	531.22	P	P	P	X	X	X	X	P	X	X	X	P	X
Funeral Home	531.22	X	P	P	X	X	X	X	P	X	X	X	X	X
Hospital <sup>+</sup>		X	X	X	X	X	P	X	P	X	X	X	X	X
<del>Intensive Services: Exterminating and Pest Control</del>	<del>531.26</del>	X	X	X	X	X	X	X	P	P	X	P	X	P
<del>Intensive Services: Printing, Heavy</del>	<del>--</del>	X	X	X	X	P	X	X	X	X	X	X	X	P
<del>Intensive Services: Industrial Service Establishment</del>	<del>531.26</del>	X	X	P	P	P	X	X	P	X	X	X	X	P
<del>Intensive Services: Sign Painting Service</del>	<del>531.26</del>	X	X	P	X	P	P	X	P	X	X	X	X	X
<del>Intensive Services: Taxi Cab, Limousine Service</del>	<del>531.26</del>	X	X	P	X	P	X	X	P	X	X	X	X	X
<del>Intensive Services: All others</del>	<del>531.26</del>	X	X	P	X	P	P	X	P	X	X	X	X	P
Laboratories, Medical and Dental	--	X	P	P	P	P	P	X	P	X	X	X	X	X
<del>Lodging Places: Boarding House</del>	<del>531.28</del>	P	X	X	X	X	X	X	P	X	X	X	X	X
<del>Lodging Places: Boatel</del>	<del>531.28</del>	X	X	X	X	X	X	P	P	X	X	X	X	X
<del>Lodging Places: Dormitories</del>	<del>531.28</del>	P	X	X	X	X	P	X	P	X	X	X	X	X
Lodging Places: Hospital Guest House	531.28	X	X	P	X	X	P	X	P	X	X	X	X	X

\* The “strike-through” uses are Applicant self-imposed prohibitions.

Last Revised 04/25/2019

## Exhibit “B”

Lodging Places: Hotel/motel	531.28	X	X	P	P	P <sup>2</sup>	P	P	P	X	X	X	X	P
Office, Medical or Professional	531.61	P	P	P	P	P	P	P	P	P	X	X	X	X
Miscellaneous Services: Office	--	X	P	P	P	P	P	P	P	X	X	X	P	X
Banking: Bank	--	X	P	P	P	P	X	X	P	X	X	X	X	X
Banking: Bank/Drive-through	531.16	X	P	P	P	P	X	X	P	X	X	X	X	P
Personal Service Establishment	--	P	P	P	P	P	P	X	P	P	P	X	P	X
Dry Cleaners: General	--	X	P <sup>3</sup>	P	P <sup>3</sup>	P	P	X	P	X	X	X	X	X
Dry Cleaners: Pick-up	--	X	P	P	P	P	P	X	P	X	X	X	P	P
Rental Service Establishment	--	X	X	P	P	P	X	X	P	X	X	X	X	
Repair Service Establishment	--	X	X	P	P	X	P	X	P	X	X	X	X	X
Recreational Vehicle Parks and Subdivisions	531.42	X	X	P	X	X	X	X	P	P	X	X	X	X
Rehabilitation Center	531.44	P	P	P	P	P	P	P	P	P	P	X	P	X
Vehicle Repair: Major	531.56	X	X	P	X	P	X	X	P	X	X	X	X	P
Vehicle Repair: Community Serving	--	X	X	P	X	P	X	X	P	X	X	X	X	X
Vehicle Repair: Neighborhood Serving	--	X	X	P	X	P	X	X	P	X	X	X	X	X
Veterinary Clinic	531.58	X	P	P	P	X	X	X	P	X	X	X	P	X
Wholesale Trade Establishment		X	X	P	P	P	X	X	P	X	X	X	X	X
<b>INDUSTRIAL</b>														
Asphalt/Concrete Processing, Manufacturing, or Recycling Plants <sup>4</sup>	--	X	X	X	X	P	X	X	X	X	X	X	X	X
Industrial, Heavy	531.25	X	X	X	X	P	X	X	P	X	X	X	X	P
Firework/Sparkler Manufacture	531.25	X	X	X	X	P	X	X	X	X	X	X	X	X

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## Exhibit “B”

Industrial, Light	531.25	X	X	<del>X</del>	P	P	P	X	P	X	X	X	X	P
Research and Development Activities	--	X	X	<del>X</del>	P	P	P	X	P	X	X	X	X	P
<b>COMMUNITY SERVICE USES</b>														
Civic, Social, and Fraternal Organizations/Clubs	531.14	P/SP	P	<del>X</del>	X	X	X	P	P	P	P	X	P	X
Correctional Facilities: Community	--	X	X	<del>X</del>	X	X	P	X	P	X	X	X	X	X
Correctional Facilities: Major	--	X	X	<del>X</del>	X	X	P	X	P	X	X	X	X	X
Cultural Facilities	531.15	P	P	<del>P</del>	P	P	P	P	P	X	X	X	P	P
Emergency Shelters	531.44	P	P	<del>P</del>	X	X	X	P	P	X	P	X	P	X
Emergency Shelter Home	531.44	P	P	<del>P</del>	X	X	X	P	P	X	P	X	P	X
Personal Wireless Service Facilities	531.37	See Section 531.37												
Public Community Uses	531.39	P	P	<del>P</del>	P	P	P	P	P	P	P	X	P	P
Public Use Facilities	531.4	P	P	<del>P</del>	P	P	P	P	P	P	P	X	P	P
Post Offices	--	P	P	<del>P</del>	P	P	P	P	P	P	P	X	P	P
Radio, TV, Communications, Microwave Facilities	--	X	X	<del>P</del>	P	P	P	X	P	X	X	X	X	P
Utility Use	531.54	P	P	<del>P</del>	P	P	P	P	P	P	P	P	P	P
Utility Use, Heavy	531.54	X	X	<del>X</del>	X	P	X	X	P	X	X	X	X	X
<b>MISCELLANEOUS USES</b>														
Flea Markets: Enclosed	531.2	X	X	<del>P</del>	X	X	X	X	P	X	X	X	X	X
Flea Markets: Open	531.2	X	X	<del>P</del>	X	X	X	X	P	X	X	X	X	X
Intensive Services: Towing Service and Storage Establishment	531.26	X	X	<del>P</del>	X	P	X	X	P	X	X	X	X	P
Outdoor Advertising Signs	--	X	X	<del>P</del>	X	P	X	X	X	P	X	X	X	P

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## Exhibit “B”

Outdoor Storage (Principal Use)	531.36	X	X	P	X	P	X	X	P	X	X	X	X	P
Parking, Commercial (Principal Use)	--	X	P	P	P	P	P	P	P	X	X	X	X	X
Sexually Oriented Businesses	531.52	See Section 531.52												
Water Dependent Uses	531.6	X	X	X	X	X	X	P	P	X	X	X	X	X
<b>OPEN USE OF LAND - LIGHT</b>														
Cemetery: Human and Pet	531.11	X	X	P	X	X	P	X	P	X	X	X	X	X
Earthmoving, Minor	702	P	P	P	P	P	P	P	P	P	P	X	P	P
Game Preserve	--	X	X	P	X	X	P	X	P	X	X	X	X	X
<b>OPEN USE OF LAND - HEAVY</b>														
Earthmoving, Major	702	X	X	X	X	X	X	X	X	X	X	X	X	P
Junkyards	531.27	X	X	X	X	X	X	X	P	X	X	X	X	X
Mining	531.3	X	X	X	X	X	P	X	X	X	X	X	X	X
Solid Waste Management Facilities	531.53	X	X	P	X	P	P	X	P	X	X	X	X	X
Landfills	531.53	X	X	X	X	X	P	X	X	X	X	X	X	X
<b>RECREATION USES</b>														
Environmental Land Preserves, Public and Private	531.17	P	P	P	P	P	P	P	P	P	X	X	P	X
Recreation, High Intensity	531.41	X	X	P	X	X	P	P	P	X	X	X	X	X
Recreation, Low Intensity	531.41	P	P	P	P	P	P	P	P	P	P	P	P	X
Recreation, Medium Intensity	531.41	X	X	P	X	X	P	P	P	X	X	X	X	X
Recreation, Passive	531.41	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation, Rural	531.41	X	X	X	X	P	P	X	X	X	X	X	X	X

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## Exhibit “B”

RESIDENTIAL USES														
Assisted Living Facility, Large <sup>1</sup>	531.45	P	P	P	X	X	P	X	P	X	X	X	P	X
Assisted Living Facility, Small <sup>1</sup>	531.45	P	P	P	X	X	P	X	P	X	X	X	P	X
Community Residential Homes	531.44	P	X	X	X	X	P	X	P	P	P	X	P	X
Group Housing	531.23	X	X	X	X	X	P	X	P	X	X	X	X	X
Mobile Homes, Individual	531.32	X	X	X	X	X	X	X	X	X	P	X	X	X
Mobile Home Parks	--	X	X	X	X	X	X	X	P	X	P	X	X	X
Mobile Home Subdivisions	--	X	X	X	X	X	X	X	P	X	P	X	X	X
Nursing Homes <sup>1</sup>	531.35	X	P	P	X	X	P	X	P	X	X	X	X	X
Recovery Home, Large	531.45	X	P	P	X	X	P	X	P	X	X	X	X	X
Recovery Home, Small	531.45	P	P	P	X	X	P	X	P	P	P	X	P	X
Residential Treatment Facilities	531.46	P	X	X	X	X	P	X	P	X	X	X	P	X
Residential Use: Duplexes	531.47	P	X	X	X	X	P	X	P	X	X	X	X	X
Residential Use: Multiple Family Dwellings	531.47	P	X	X	X	X	P	P	P	X	X	X	X	X
Residential Use: Single Family, Attached Dwellings (3 to 9 units)	531.47	P	X	X	X	X	P	P	P	X	X	X	X	X
Residential Use: Single Family, Detached Dwellings	531.47	P	X	X	X	X	P	P	P	X	X	X	P	X
Residential Use: Single Family, Semi-Detached Dwellings	531.47	P	X	X	X	X	P	X	P	X	X	X	X	X
Residential Use: Triplex and Quadruplex Dwellings (Multifamily, four (4) units maximum)	531.47	P	X	X	X	X	X	P	P	X	X	X	X	X
Residential Use: Waterfront Structures (Residential)	531.47	P	X	X	X	X	X	P	P	P	P	X	P	X

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## Exhibit “B”

Residential Use: Waterfront Structures, Multi-Family	531.47	P	X	<del>X</del>	X	X	X	P	P	X	X	X	P	X
<b>RESIDENTIAL SUPPORT USES</b>														
Adult Day Care Center	--	P	P	P	X	X	X	P	P	X	P	X	P	X
Child Care Center, Accessory	531.12	P	P	P	P	P	P	P	P	P	P	X	P	P
Child Care Center, Large	531.12	P	P	P	P	P	P	X	P	X	X	X	P	X
Child Care Center, Small	531.12	P	P	P	X	P	P	X	P	P	P	X	P	X
Churches /Places of Worship	531.13	P	P	P	X	X	X	X	P	P	P	X	P	X
Environmental Education Facilities	--	P	X	<del>X</del>	X	X	P	X	P	X	X	X	P	X
Family Day Care Home	--	P	X	<del>X</del>	X	X	P	X	P	P	P	X	P	X
Schools, College/Universities	531.5	X	X	<del>X</del>	X	X	P	X	P	X	X	X	X	X
Schools, Elementary	531.5	P	P	<del>X</del>	P	X	P	X	P	X	X	X	P	X
Schools, High and Middle	531.5	P	P	<del>X</del>	P	X	P	X	P	X	X	X	P	X
Schools of Special Education	531.5	P	P	P	P	X	P	X	P	X	X	X	P	X
Schools, Public	531.5	P	P	P	P	P	P	P	P	P	P	P	P	P
<b>TRANSPORTATION USES</b>														
Aircraft Landing Field	531.2	X	X	<del>X</del>	X	X	P	X	P	X	X	X	X	X
Airport, Commercial	531.3	X	X	<del>X</del>	X	X	P	X	P	X	X	X	X	X
Airport, Private or Public	531.3	X	X	<del>X</del>	X	P	P	X	P	X	X	X	X	P
Bus and Train Passenger Station	--	P	X	<del>P</del>	P	P	P	X	P	X	X	X	P	P
Hazardous Waste Transfer Facility	--	X	X	<del>X</del>	X	P	P	X	P	X	X	X	X	X
Heliport	531.24	X	X	<del>P</del>	X	P	P	X	P	X	X	X	X	P
Helistop	531.24	P	P	<del>P</del>	P	P	P	P	P	X	X	X	P	P

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## Exhibit “B”

Intensive Services: Motor Pool Facilities	531.26	X	X	X	X	P	P	X	P	X	X	X	X	P
Intermodal Terminal	--	X	X	X	X	P	P	X	P	X	X	X	X	P
Motor Freight Terminal/Maintenance	531.34	X	X	X	X	P	X	X	P	X	X	X	X	P
Bus RR/Maintenance Facility	531.34	X	X	X	X	P	P	X	P	X	X	X	X	X
Railroad Switching/Classification Yard	--	X	X	X	X	P	P	X	X	X	X	X	X	P
<b>WAREHOUSING</b>														
Mini Warehouses, Self-storage	531.31	X	X	P	X	P	X	X	P	X	X	X	X	X
Warehouses	531.59	X	X	X	P	P	P	X	P	X	X	X	P	X

P = Permitted (see Section 315); SP = Special Permit (see Section 316), P = Permitted, X = Not Permitted

P/SP = Administrative Permit required as specified in Chapter 3 or elsewhere in this Code.

<sup>1</sup> Acute medical facilities are not allowed within the Coastal Evacuation Area, as defined in the Comprehensive Plan.

<sup>2</sup> Hotels are allowed only where the underlying Future Land Use category is Industrial-Light (IL).

<sup>3</sup> Limited to 3,000 square feet in gross floor area.

<sup>4</sup> Asphalt/Concrete Processing, Manufacturing, or Recycling Plants are prohibited from locating on property within the Watershed Protection Overlay District.

### NOTES:

- Uses identified as "Permitted Uses" in all Planned Development Districts may be permitted in conjunction with a PD approval. PD zoning in itself does not constitute approval to develop.
- Uses may be further restricted or modified by the overlay district regulations.

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## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

October 23, 2020

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

Attention: Quantana Acevedo

Dear Ms. Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. PDC-18-15(Z)(G), which was filed in this office on October 23, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb