

Manatee County Ordinance

PDMU-21-16(G)(R) – MCCLURE-EISENHOWER – EPG MOCCASIN WALLOW DEVELOPMENT, LLC (OWNER) – PLN2212-0051

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING AND RESTATING ZONING ORDINANCE NO. PDMU-21-16(Z)(G) TO REVISE THE GENERAL DEVELOPMENT PLAN TO ADD STANDARDS FOR MULTI-FAMILY AND SINGLE-FAMILY ATTACHED DEVELOPMENT; AND TO MODIFY THE LUEM (LAND USE EQUIVALENCY MATRIX) TO ALLOW EXCHANGE BETWEEN SINGLE-FAMILY DETACHED AND SINGLE-FAMILY ATTACHED AND MULTI-FAMILY UNITS; FOR A PREVIOUSLY APPROVED DEVELOPMENT OF 1900 DWELLING UNITS ON 960.54 ACRES AND 201,000 SQUARE FEET OF COMMERCIAL/OFFICE USES ON 28.14 ACRES; THE 988.68 ACRE SITE IS ZONED PDMU (PLANNED DEVELOPMENT MIXED USE), LOCATED NORTH OF MOCCASIN WALLOW ROAD AND SOUTH OF BUCKEYE ROAD, PARRISH (MANATEE COUNTY); SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; REPEALING ORDINANCES IN CONFLICT; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, EPG Moccasin Wallow Development, LLC (Owner) (the “Applicant”) filed an application for a revised General Development Plan to add standards for multi-family and single-family attached development and to modify the LUEM (Land Use Equivalency Matrix) to allow exchange between single-family detached and single-family attached and multi-family units; for a previously approved development of 1,900 dwelling units on approximately 960.54 acres and 201,000 square feet of commercial/office uses on 28.14 acres for total of 988.68 acres; as described in Exhibit “A”, attached hereto, (the “Property”); and

WHEREAS, the applicant also filed a request for Specific Approval for an alternative to Land Development Code Section: 1001.1.C – Second Means of Access for emergency access to 200 residential units or less and restating a previously approved Specific Approval for 1001.4.D.1. to allow for cul-de-sacs exceeding 800-feet in length to avoid environmentally sensitive areas within the project; and

WHEREAS, the applicant also filed a request for a previously approved (as voluntarily proffered by the applicant) Schedule of Permitted and Prohibited Uses attached hereto as Exhibit “B”, and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on August 10, 2023, to consider the revised General Development Plan, Schedule of Permitted and Prohibited Uses, as voluntarily proffered by the applicant and Specific Approval applications 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 revised General Development Plan, Schedule of Permitted and Prohibited Uses, as voluntarily proffered by the applicant and Specific Approval 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 subject to the stipulations 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, 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 a revised General Development Plan and Specific Approval as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners, after due public notice, held a public hearing on September 7, 2023, regarding the proposed Ordinance 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 Ordinance 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 LDC Section 1001.4.D.1, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the increased length to a maximum of 1,320 feet with mid-block turnarounds, will effectively reduce the length to less than 800 feet for each segment of the roadway on either side of the mid-block turnaround, thus achieving the intended purpose of the 800-foot maximum length.

E. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 1001.1.C., the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design, as the second means is still provided for access in emergency situations, through the "emergency only" access points to be provided in lieu of permanent access points.

Section 2. REVISED GENERAL DEVELOPMENT PLAN. The revised General Development Plan is hereby approved for to add standards for multi-family and single-family attached development and to modify the LUEM (Land Use Equivalency Matrix) to allow exchange between single-family detached and single-family attached and multi-family units; for a previously approved development of 1,900 dwelling units on approximately 960.54 acres and 201,000 square feet of commercial/office uses on 28.14 acres for total of 988.68 acres, upon the property subject to the following Stipulations:

A. DESIGN AND LAND USE STIPULATIONS

1. Commercial Parcels 2 and 3 shall be in compliance with the "Commercial Locational Criteria" of the Comprehensive Plan. Each such commercial parcels shall not be

developed until Sawgrass Road is constructed to the first residential access past the applicable commercial parcel.

Commercial Parcel 1 shall be limited to “professional office” uses, and may not utilize the LUEM to exchange for other commercial uses.

2. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Plat, and shall include language to inform prospective homeowners of:
 - a. The residential support use being on the approved plans.
 - b. The presence of active agricultural operations in the nearby area and their potential impacts (noise and odor).
 - c. The internal streets within the subdivision may be privately owned and maintained by the Homeowner’s Association or other appropriate legal entity.
3. Any significant historical or archeological resources discovered during development activities shall be immediately reported to the Florida Department of State, Division of Historical Resources, and treatment of such resources shall be determined in cooperation with the Division of Historical Resources, and the County. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offenses Concerning Dead Bodies and Graves) shall be followed.
4. 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.
5. Final Site Plan (FSP) review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the LDC requirements for parking, screening buffer (recreational use to single family), structure height, signage, etc. Recreation Area structure(s) shall have a minimum setback of 20-feet from property lines.
6. The uses approved for this project shall be limited to those voluntarily proffered by the applicant in the Schedule of Uses, attached to the Zoning Ordinance as “Exhibit B”.
7. The applicant shall submit to the County the design and location for dead-end-streets and cul-de-sacs that exceed 800 feet in length, at the time of preliminary site plan submittal. The County will review same for compliance with the applicable provisions of the Comprehensive Plan and the Land Development Code.
8. Pursuant to granting of Specific Approval to an alternative for Section 1001.1.C of the LDC, the applicant may pursue the alternative approved for the project, to be

demonstrated at the Final Site Plan stage of each phase of the residential development, at which time staff will review and approve such alternatives.

B. ENVIRONMENTAL STIPULATIONS

1. All other applicable state or federal permits shall be obtained prior to commencement of development.
2. A Conservation Easement for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas that will serve as wetland mitigation areas shall be dedicated to Manatee County prior to, or concurrent with, Final Plat approval or Certificate of Occupancy or Certificate of Completion issuance.
3. In limited circumstances, where a wetland abuts a residential side yard, the wetland buffer setback may be reduced to a minimum of 5-feet if the following conditions are met:
 - a. No roof drainage shall be directed to the side yard that is adjacent to the wetland buffer and is requesting a reduced wetland buffer setback.
 - b. For the side yard adjacent to the wetland, LDC Section 401.3.E.2. (Required Yards – Exempt Structures) is not applicable. Any exempt structure (i.e., residential air conditioning units, residential electrical generators) must be located within another required yard.
 - c. Additional mitigation plantings shall be provided on a one-to-one basis in areas adjacent to or near the impacted wetland buffer setback.
4. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas. Before Final Site Plan approval, lots will need to be drawn so they do not encroach into the wetlands or wetland buffers. Buffer encroachments and buffer restoration plans will be addressed during Final Site Plan to ensure consistency with the County's variable width buffer requirement per LDC Section 706.4.C and buffer restoration requirements per LDC Section 706.4.D.
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 353.3 of the LDC.
6. If wells are encountered, a Well Management Plan for the proper protection and abandonment of existing wells shall be submitted for review.
7. 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.

C. STORMWATER ENGINEERING STIPULATIONS

1. Pursuant to Section 801 Land Development Code, Manatee County Floodplain Ordinance (Ordinance #20-22, or as amended), and Code Of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan 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 100-year/24-hour floodplain as derived from the Buffalo Canal Watershed Model or best available information at the

time of design and the 25-year/24-hour post-development discharge rate. In congruence with the Buffalo Canal Watershed Model, 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:

Storm Frequency:	Cumulative Rainfall:	Rainfall Distribution:
10-year/24-hour	7 inches	FLMOD
25-year/24-hour	8 inches	FLMOD
50-year/24-hour	9 inches	FLMOD
100-year/24-hour	10 inches	FLMOD
100-year/72-hour	18 inches	FDOT-72

50-year storm event modeling applies to thoroughfare drainage systems only.

The comparison of existing pre-development condition versus the proposed post-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. The Engineer of Record (EOR) shall submit drainage modeling to demonstrate the allowable 25-Year/24-Hours pre-development rate of discharge has been reduced by fifty (50) percent for Buffalo Canal Watershed.
3. All fill within the 100-year Floodplain shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. Drainage modeling shall utilize the adopted Buffalo Canal Watershed Management Plan (available through the Public Works Department) to demonstrate, in post-development condition, that no adverse impacts are created to adjacent property based upon a “no-rise” flood stage condition.
4. Pursuant to Section 801 Land Development Code, Manatee County Floodplain Ordinance (Ordinance #20-22, or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan 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 100-year/24-hour floodplain as derived from the Little Manatee River Watershed Model or best available information at the time of design and the 25-year/24-hour post-development discharge rate. In congruence with the Little Manatee River Watershed Model utilized by Hillsborough County, 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:

Storm Frequency:	Cumulative Rainfall:	Rainfall Distribution:
2.33-year/24-hour	4.5 inches	Type II FL Modified
5-year/24-hour	5.75 inches	Type II FL Modified
10-year/24-hour	6.75 inches	Type II FL Modified
25-year/24-hour	8 inches	Type II FL Modified
50-year/24-hour	9 inches	Type II FL Modified
100-year/24-hour	10 inches	Type II FL Modified

- d. Upon application of LUEM, an updated land use tracking table indicating the exchange of units or square footage and corresponding increase or decrease of total unit counts and/or square footage by land use type shall be provided. For mixed-use developments, traffic assignment at project driveways needs to be re-evaluated in detail.
 - e. The applicant must apply for a modification to the CLOS and if the proposed Land Use Exchange results in impacts more than those previously approved, the applicant may be granted approval for that excess on if, and when, capacity is available. However, reapplication shall not cause the applicant to lose the capacity already approved for the Project.
 - f. If the request for a Land Use Exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved, pursuant to the CLOS. At the time of Final Site Plan approval, potable water, wastewater treatment and schools shall be also analyzed, and a CLOS will be issued for those concurrency components.
2. Developer may construct the mitigation projects identified in an approved traffic study addressing concurrency or may utilize the construction of Sawgrass Road and/or Future FF Road to address mitigation of such traffic impacts as a proportionate share project pursuant to a Local Development Agreement or other appropriate mechanism.
 3. With each Final Site Plan application, the Developer shall submit to the County an operational analysis which includes an assessment of the estimated traffic operations and turning movements with the conceptual design of access(es) and intersections serving the Project covered by the Final Site Plan application.

E. INFRASTRUCTURE

1. Connection to the County water and 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 applicable County Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by 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: 1001.1.C – Second Means of Access for emergency access to 200 residential units or less and restating a previously approved Specific Approval for 1001.4.D.1. to allow for cul-de-sacs exceeding 800-feet in length to avoid environmentally sensitive areas within the project.

Section 4. 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 5. 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 6. 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 7. 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 7th day of September 2023.



**BOARD OF COUNTY
COMMISSISONERS OF MANATEE
COUNTY, FLORIDA.**

BY: 
Kevin Van Ostenbridge, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: 
Deputy Clerk

Exhibit "A"

Legal Description

The South 1/2 of Section 12, all of Section 13, and the North 1/2 of Section 24, all Township 33 South, Range 18 East, Manatee County, Florida. LESS the portions thereof described in Deed Book 283, Page 175, Deed Book 283, Page 183 and O.R. Book 277, Page 164, Public Records of Manatee County, Florida. LESS the property described in Warranty Deed recorded in O.R. Book 2097, Page 5099, Public Records of Manatee County, Florida. LESS the property described in Special Warranty Deed recorded in Instrument Number 202141008338, Public Records of Manatee County, Florida, LESS that part of the Northeast 1/4 of Section 24, Township 33 South, Range 18 East, Manatee County, Florida, lying North of Moccasin Wallow Road.

Total Area: 988.68

Exhibit "B"

Schedule of Uses – McClure Eisenhower – PLN2108-0034/PDMU-21-16(Z)(G)*

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
AGRICULTURAL USES														
Agricultural Research Facilities	—	X	X	P	P	X	P	X	P	X	X	X	P	P
Agricultural Uses	531.1	P	P	P	P	P	P	P	P	P	P	X	P	P
Agricultural Products Processing Plants	531.1	X	X	X	X	P	X	X	P	X	X	X	P	P
Animal Products Processing Facility	531.1	X	X	X	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	531.1	P	X	X	X	X	X	X	P	P	P	X	P	X
Stables or Equestrian Centers: Public	531.1	X	X	P	X	X	P	X	P	X	X	X	P	X
Tree Farm	531.1	X	X	X	X	X	P	X	P	X	X	X	P	X
Animal Services (Wild and Exotic)	531.5	P	P	P	P	P	P	P	P	P	P	P	P	P
Breeding Facility (Non-Wild & Exotic)	531.8	X	X	P	P	P	P	X	P	X	X	X	P	X
Farming Service Establishments	531.18	X	X	P	X	X	X	X	P	X	X	X	P	P
Farm Worker Housing	531.19	X	X	X	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	531.1	X	X	X	X	P	X	X	P	X	X	X	X	P
Slaughterhouses	531.1	X	X	X	X	P	X	X	P	X	X	X	X	X
Stockyards and Feedlots ⁴	531.1	X	X	X	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
COMMERCIAL - RETAIL														
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 10/01/2020

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
Auction Houses, Open	531.6	X	X	P	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
Lumberyard	531.9	X	X	X	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
Medical Marijuana Treatment Center Dispensing Facility	531.49	X	P	P	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
COMMERCIAL - SERVICES														
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 10/01/2020

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- ¹		X	X	X	X	X	P	X	P	X	X	X	X	X
Intensive Services: Exterminating and Pest Control	531.26	X	X	X	X	X	X	X	P	P	X	P	X	P
Intensive Services: Printing, Heavy	--	X	X	X	X	P	X	X	X	X	X	X	X	P
Intensive Services: Industrial Service Establishment	531.26	X	X	P	P	P	X	X	P	X	X	X	X	P
Intensive Services: Sign Painting Service	531.26	X	X	P	X	P	P	X	P	X	X	X	X	X
Intensive Services: Taxi-Cab, Limousine Service	531.26	X	X	P	X	P	X	X	P	X	X	X	X	X
Intensive Services: All others	531.26	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
Lodging Places: Boarding House	531.28	P	X	X	X	X	X	X	P	X	X	X	X	X
Lodging Places: Boatel	531.28	X	X	X	X	X	X	P	P	X	X	X	X	X
Lodging Places: Dormitories	531.28	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

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Last Revised 10/01/2020

Exhibit "B"

Lodging Places: Hotel/motel	531.28	X	X	P	P	P ²	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 ³	P	P ³	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
INDUSTRIAL														
Asphalt/Concrete Processing, Manufacturing, or Recycling Plants ⁴	—	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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Last Revised 10/01/2020

Exhibit "B"

Industrial, Light	531.25	X	X	X	P	P	P	X	P	X	X	X	X	P
Research and Development Activities	--	X	X	X	P	P	P	X	P	X	X	X	X	P
COMMUNITY SERVICE USES														
Civic, Social, and Fraternal Organizations/Clubs	531.14	P/SP	P	X	X	X	X	P	P	P	P	X	P	X
Correctional Facilities: Community	--	X	X	X	X	X	P	X	P	X	X	X	X	X
Correctional Facilities: Major	--	X	X	X	X	X	P	X	P	X	X	X	X	X
Cultural Facilities	531.15	P	P	P	P	P	P	P	P	X	X	X	P	P
Emergency Shelters	531.44	P	P	P	X	X	X	P	P	X	P	X	P	X
Emergency Shelter Home	531.44	P	P	P	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	P	P	P	P	P	P	P	P	X	P	P
Public Use Facilities	531.4	P	P	P	P	P	P	P	P	P	P	X	P	P
Post Offices	--	P	P	P	P	P	P	P	P	P	P	X	P	P
Radio, TV, Communications, Microwave Facilities	--	X	X	P	P	P	P	X	P	X	X	X	X	P
Alternative Energy Generation Facility	531.54	X	X	X	X	P	P	X	X	X	X	X	X	P
Utility Use	531.54	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Use, Heavy	531.54	X	X	X	X	P	X	X	P	X	X	X	X	X
MISCELLANEOUS USES														
Flea Markets: Enclosed	531.2	X	X	P	X	X	X	X	P	X	X	X	X	X
Flea Markets: Open	531.2	X	X	P	X	X	X	X	P	X	X	X	X	X
Intensive Services: Towing Service and Storage Establishment	531.26	X	X	P	X	P	X	X	P	X	X	X	X	P

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Exhibit "B"

Outdoor Advertising Signs	--	X	X	P	X	P	X	X	X	P	X	X	X	P
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
OPEN USE OF LAND - LIGHT														
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
OPEN USE OF LAND - HEAVY														
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
RECREATION USES														
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

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Exhibit "B"

Recreation, Rural	531.41	X	X	X	X	P	P	X	X	X	X	X	X	X
RESIDENTIAL USES														
Assisted Living Facility, Large ¹	531.45	P	P	P	X	X	P	X	P	X	X	X	P	X
Assisted Living Facility, Small ¹	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 ¹	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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Residential Use: Waterfront Structures, Multi-Family	531.47	P	X	X	X	X	X	P	P	X	X	X	P	X
RESIDENTIAL SUPPORT USES														
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	X	X	X	P	X	P	X	X	X	P	X
Family Day Care Home	--	P	X	X	X	X	P	X	P	P	P	X	P	X
Schools, College/Universities	531.5	X	X	X	X	X	P	X	P	X	X	X	X	X
Schools, Elementary	531.5	P	P	X	P	X	P	X	P	X	X	X	P	X
Schools, High and Middle	531.5	P	P	X	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
TRANSPORTATION USES														
Aircraft Landing Field	531.2	X	X	X	X	X	P	X	P	X	X	X	X	X
Airport, Commercial	531.3	X	X	X	X	X	P	X	P	X	X	X	X	X
Airport, Private or Public	531.3	X	X	X	X	P	P	X	P	X	X	X	X	P
Bus and Train Passenger Station	--	P	X	P	P	P	P	X	P	X	X	X	P	P
Hazardous Waste Transfer Facility	--	X	X	X	X	P	P	X	P	X	X	X	X	X
Heliport	531.24	X	X	P	X	P	P	X	P	X	X	X	X	P
Helistop	531.24	P	P	P	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
WAREHOUSING														
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.

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

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

³ Limited to 3,000 square feet in gross floor area.

⁴ 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.

* The "strike-through" uses are Applicant self-imposed prohibitions.

Last Revised 10/01/2020

Table 12

LAND USE EQUIVALENCY MATRIX
(Revised 11/29/22)

<u>CONVERSION FROM:</u>	<u>CONVERSION TO:</u>			
	<u>Retail</u> <u>(KSF)</u>	<u>Office</u> <u>(KSF)</u>	<u>Townhome</u> <u>(DU)</u>	<u>Multi-Family</u> <u>(DU)</u>
Retail (KSF)	-	3.9137	-	-
Office (KSF)	0.2555	-	-	-
Single Family (DU)	-	-	1.6572	2.1505

(1) Source - ITE Trip Generation Manual, 10th Edition.

(2) Example: Convert Retail to Office

$$\text{KSF} = 1 \times 3.9137 = 3.9137 \times (1,000 \text{ sq ft of office}) = 3913.7 \text{ sq ft}$$

(3) The minimum and maximum for each land use are as follows:

<u>Land Use</u>	<u>Approved</u>	<u>Minimum</u>	<u>Maximum</u>
Retail	106,500 SF	50,000 SF	125,000 SF
Office	94,500 SF	50,000 SF	125,000 SF

(4) The maximum number of residential is 1,900 dwelling units.



LINCKS & ASSOCIATES, INC.

November 21, 2022

Merih Wahid
Manatee County Public Works Department
1022 26th Avenue East
Bradenton, FL 34208

Re: Project Name: McClure Eisenhower
Record:
Lincks Project No: 21073

Dear Mr. Wahid,

The purpose of this letter is to provide a response to your comments for the above referenced project. The comments and our responses are as follows:

1. Sender and receiver "pods" for the exchange units.

Response:

There are proposed to be two development options, one is to exchange Single Family to 200 Townhomes and the second is to exchange Single Family to 400 Multi-Family dwelling units. Table 1 provides the sender and receiver pods for each option. These are graphically shown in Figures 1 and 2.

2. Attach LUEM and show exchange of units

Response:

The updated LUEM is provided and the exchange of the 2 options are as follows:

- Townhomes – $200 \text{ Townhomes} / 1.6572 = 121 \text{ Single Family Homes}$
- Multi-Family – $400 \text{ Multi-Family} / 2.1505 = 186 \text{ Single Family Homes}$

3. Original approved # units and dwelling type per pod.

Response:

The original number of units per pod are shown in the attached Table 1.

5023 West Laurel Street
Tampa, FL 33607
813 289 0039 Telephone
813 287 0674 Telefax
www.Lincks.com Website

Mrs. Merih Wahid
November 21, 2022
Page 2

4. Confirm whether what has been referred as townhomes are not single family attached units.

Response:

The Townhomes are proposed to be fee simple ownership. It is anticipated there would be six to eight units per building.

If you have any questions regarding the responses to these comments, please do not hesitate to contact me at shenry@lincks.com or 813-559-9589.

LINCKS & ASSOCIATES, INC.

Steven Henry, PE
President

TABLE 1

Townhome Scenario

<u>Pod</u>	<u>Approved DU's</u>	<u>Sender DU's</u>	<u>Receiver DU's</u>
A	600 SFDU	63 SFDU	
B	375 SFDU	45 SFDU	
C	725 SFDU	13 SFDU	
D			200 TH DU's

Multi-Family Scenario

<u>Pod</u>	<u>Approved DU's</u>	<u>Sender DU's</u>	<u>Receiver DU's</u>
A	600 SFDU	63 SFDU	
B	375 SFDU	110 SFDU	
C	725 SFDU	13 SFDU	
D			400 MF DU's

Table 12

LAND USE EQUIVALENCY MATRIX
(Revised 11/29/22)

<u>CONVERSION FROM:</u>	<u>CONVERSION TO:</u>			
	<u>Retail</u> <u>(KSF)</u>	<u>Office</u> <u>(KSF)</u>	<u>Townhome</u> <u>(DU)</u>	<u>Multi-Family</u> <u>(DU)</u>
Retail (KSF)	-	3.9137	-	-
Office (KSF)	0.2555	-	-	-
Single Family (DU)	-	-	1.6572	2.1505

(1) Source - ITE Trip Generation Manual, 10th Edition.

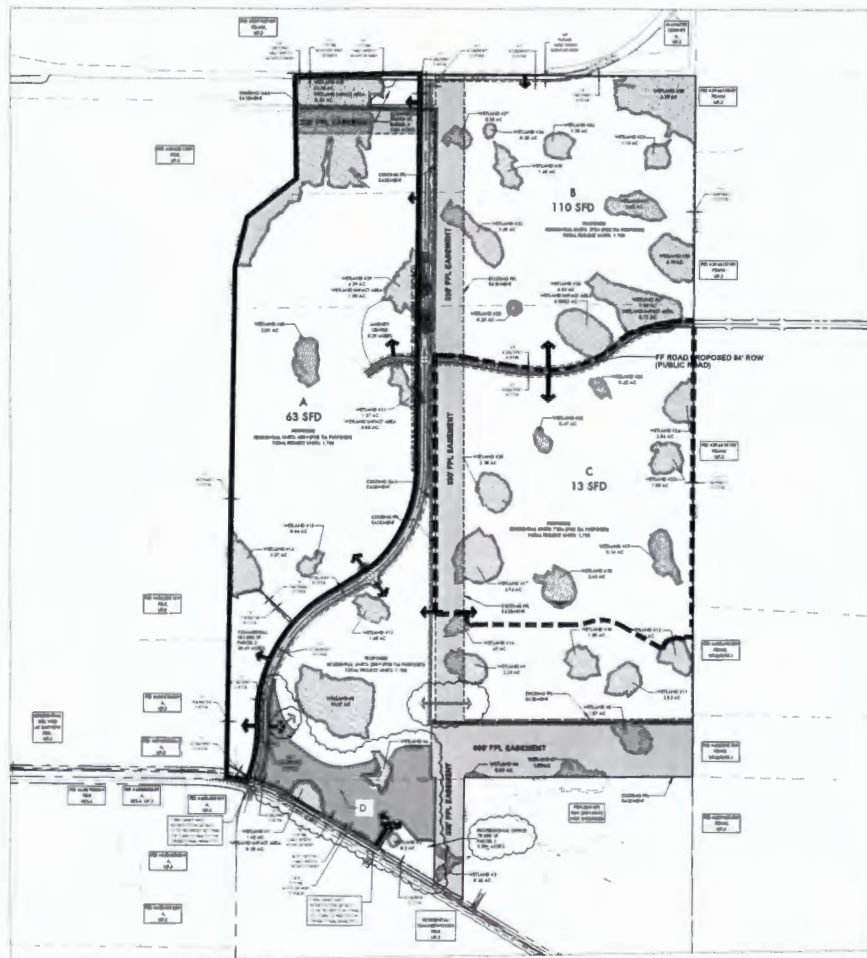
(2) Example: Convert Retail to Office

$$\text{KSF} = 1 \times 3.9137 = 3.9137 \times (1,000 \text{ sq ft of office}) = 3913.7 \text{ sq ft}$$

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<u>Land Use</u>	<u>Approved</u>	<u>Minimum</u>	<u>Maximum</u>
Retail	106,500 SF	50,000 SF	125,000 SF
Office	94,500 SF	50,000 SF	125,000 SF

(4) The maximum number of residential is 1,900 dwelling units.





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 8, 2023

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

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. PDMU-21-16(G)(R), which was filed in this office on September 7, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh