

## Manatee County Zoning Ordinance

### **PDMU-22-17(Z)(G) – EAST RIVER RANCH / EAST RIVER RANCH 1400, LLC** **(OWNER) – PLN2205-0106**

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 1,381.63 ACRES FROM A/WP-E/WP-M/ST (GENERAL AGRICULTURE/WATERSHED PROTECTION EVERS /WATERSHED PROTECTION LAKE MANATEE/SPECIAL TREATMENT OVERLAYS) TO THE PDMU/WP-E/WP-M/ST (PLANNED DEVELOPMENT MIXED USE) ZONING DISTRICT, RETAINING THE WATERSHED PROTECTION EVERS/WATERSHED PROTECTION LAKE MANATEE AND SPECIAL TREATMENT OVERLAY DISTRICTS; GENERALLY LOCATED AT THE SOUTHWEST CORNER OF SR 64 EAST AND CR 675, AT 21100 SR 64 EAST, BRADENTON, (MANATEE COUNTY); APPROVING A GENERAL DEVELOPMENT PLAN (LARGE PROJECT) FOR UP TO 5,378 RESIDENTIAL UNITS (SINGLE-FAMILY DETACHED, SINGLE-FAMILY SEMI-DETACHED, SINGLE-FAMILY ATTACHED AND MULTI-FAMILY); 900,000 SQUARE FEET OF COMMERCIAL/RETAIL USES; 300,000 SQUARE FEET OF OFFICE USES; 300,000 SQUARE FEET OF MINI-WAREHOUSE USES; A FUTURE POTENTIAL CHARTER SCHOOL GRADES K-12; AND A FUTURE POTENTIAL FIRE STATION FACILITY; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, East River Ranch 1400, LLC (the “Applicant”) filed an application to rezone approximately 1,381.63 acres described in Exhibit “A”, attached hereto, (the “Property”) from A/WP-E/WP-M/ST (General Agriculture/Watershed Protection Evers /Watershed Protection Lake Manatee/Special Treatment Overlays) to the PDMU/WP-E/WP-M/ST (Planned Development Mixed Use) zoning district, retaining the Watershed Protection Evers/Watershed Protection Lake Manatee and Special Treatment Overlay Districts; and

**WHEREAS**, the applicant also filed a General Development Plan (Large Project) for up to 5,378 residential units (single-family detached, single-family semi-detached, single-family attached and multi-family); 900,000 square feet of commercial/retail uses; 300,000 square feet of office uses; 300,000 square feet of mini-warehouse uses; a future potential charter school grades K-12; and a future potential fire station facility (the “project”) on the property; and

**WHEREAS**, the applicant also filed a request for Specific Approval for alternatives to Land Development Code Sections: 1) 401.5.A.2 to allow an alternative to provide a 20-foot landscape buffer with decorative fencing; 2) 1001.1.C to allow the second means of access to be for emergencies only until all phases are completed, and two permanent means of access are provided for 100 residential units or more; 3) 401.3.E.8 to allow a reduction to rear yard setback

when adjacent to agricultural uses from 35-feet to 20-feet; and 4) 402.7.D.7 to allow a reduction to the minimum front yard setback from 20-feet to 15-feet; and

**WHEREAS**, the applicant also filed two Comprehensive Plan Amendments: PA-22-10 / Ordinance 23-27 and PA-22-06/Ordinance 23-28; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on March 9, 2023, to consider the rezone, General Development Plan 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, made no recommendation on whether the rezone, General Development Plan and Specific Approval applications were consistent with the Manatee County Comprehensive Plan and whether they were in compliance with the applicable standards for review in the Manatee County Land Development Code due to respective tie votes on the alternative motion to recommend approval or to recommend denial of these applications.

**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 as it relates to the real property described in Exhibit "A" of this Ordinance from A/WP-E/WP-M/ST (General Agriculture/Watershed Protection Evers /Watershed Protection Lake Manatee/Special Treatment Overlays) to the PDMU/WP-E/WP-M/ST (Planned Development Mixed Use) zoning district, retaining the Watershed Protection Evers/Watershed Protection Lake Manatee and Special Treatment Overlay Districts.

B. The Board of County Commissioners, after due public notice, held a public hearing on May 24, 2023, regarding the proposed Official Zoning Atlas Amendment 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, subject to the two Comprehensive Plan Amendments PA-22-10 / Ordinance 23-27 and PA-22-06/Ordinance 23-28 becoming effective.

D. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 401.5.A.2, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed screening buffer design. The proposed decorative fencing and required screening buffer plantings in addition to the required building



setbacks of LDC Section 401.5.A.1 will provide satisfactory screening buffers to offset height impacts from any proposed development three stories or more to adjacent single-family homes.

E. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 1001.3.C, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed alternative designs because the intent of the requirement will be met since prior to or concurrent with build-out of the project, two full means of permanent access will be provided for all phases of development that exceed 100 dwelling units.

F. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 401.3.E.8, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed alternative designs because the additional landscaping or a fence will be provided to separate the residential lots from adjacent active agricultural operations.

G. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 402.7.D.7, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed alternative designs because the reduction to the 15-foot setback will promote neo-traditional home types that will promote community with front yard areas closer to sidewalks, while still providing a 25-foot separation from the front of garages or carports and the edge of the sidewalk.

**Section 2. GENERAL DEVELOPMENT PLAN.** The General Development Plan is hereby approved for (Large Project) for up to 5,378 residential units (single-family detached, single-family semi-detached, single-family attached and multi-family); 900,000 square feet of commercial/retail uses; 300,000 square feet of office uses; 300,000 square feet of mini-warehouse uses; a future potential charter school grades K-12; and a future potential fire station facility, upon the property subject to the following Stipulations:

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

1. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and shall include language to inform prospective homeowners of the following matters, to the extent they are applicable at the time:
  - The presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.
  - There are designated planned thoroughfares within the project area {i.e. 44<sup>th</sup> Avenue East (arterial), Rangeland Parkway, and East River Ranch Boulevard (collectors)} designated as four-lane roadways, and potential noise associated with these planned roadways.
  - The internal streets within this subdivision may be privately owned and maintained by the Homeowner's Association or other appropriate legal entity.
  - The practice of controlled burning within the Lake Manatee State Park on the north side of SR 64 may produce smoke which may affect this development.
  - The presence of an active drag strip and racetrack facilities that may produce noise levels above those generally allowed to be experienced in a residential community. The drag strip and racetrack facilities are pre-existing, and buyers are purchasing their lot/unit with the understanding that those uses are permitted to continue.

2. Compliance with all applicable regulations of the Land Development Code shall be demonstrated at the time of Preliminary / Final Site Plan application review, with exception of those requirements in which Specific Approval is granted as stated in the staff report.
3. The overall open space requirement is estimated as 465.81 acres (361.33 for residential/104.48 for non-residential). Each FSP for development within the project, shall provide a tracking table to account for the acreage of open space provided, as well as total residential units and total square footage of each of the allowed uses that is to be constructed with each FSP, to track over the life of the project.
4. If applicable, 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.
5. Final Site Plan (FSP) review and approval is required for any recreational area/amenity center. Required number of parking spaces will be determined at FSP based on the type and square footage of the recreational uses. Any recreation or amenity structure shall have a minimum 20-foot setback from all property lines.
6. The uses approved for this project shall be limited to 5,378 residential units, including single-family detached, single-family attached, single-family semi-detached, and multi-family; 900,000 square feet of commercial/retail uses; 300,000 square feet of office uses; 300,000 square feet of mini-warehouse uses; a future potential charter school (grades K-12), (subject to future approval of a Determination of Consistency with the Manatee County Comprehensive Plan and School Site Plan approval pursuant to Florida Statutes 1013.33, the Manatee County Comprehensive Plan, the Land Development Code and the Amended and Restated Interlocal Agreement for Public School Facility Planning school site), and a future potential fire station facility.
7. At the time of Final Site Plan (FSP) review, the project shall demonstrate there are no active agricultural uses adjacent to the project boundary. If active agricultural uses are adjacent to proposed residential lots within the project boundary, an alternative 20-foot screening buffer shall be provided having a 6-foot fence or shrubs and trees with 80 percent opacity within the entire buffer. If no active agricultural uses are adjacent, a 15-foot perimeter buffer in accordance with the LDC shall be required.
8. Minimum building setbacks for mini-warehouse uses of four (4) story and for multi-family uses of five (5) story buildings shall be in accordance with the standards provided in the site data of the approved General Development Plan.

9. The potential sites within the Project for the proposed charter school and fire district facility are not being required by the County or other applicable agency, at this stage of the development review process. A future analysis based upon appropriate studies demonstrating that the minimum acreage being provided within the Project site is roughly proportional and provides a rational nexus to the impact of the proposed Project upon the public facilities and services would be required.
10. Pursuant to the Specific Approval for an alternative to Section 402.7.D.7, a 10-foot separation from the internal edge of the sidewalk to the property line shall be provide for all proposed front-loaded garage units to ensure a 25-foot separation from the sidewalk to the garage.
11. Construction of East River Ranch Boulevard shall be subject to availability of adequate right-of-way. Right-of-way acquisition for East River Ranch Boulevard shall not include any lands within Parcel #300600004 without the consent of the property owner.
12. Pursuant to the Specific Approval for an alternative to Section 1001.1.C., emergency access may only serve as the temporary second means of access for a maximum of 150 dwelling units.

## **B. ENVIRONMENTAL STIPULATIONS**

1. All other applicable state or federal permits shall be obtained prior to commencement of development.
2. There are 4.12 acres of impacts to jurisdictional wetlands (3.78 acres) and streams (0.34 acres) being approved by the adoption of this Ordinance.
3. A Conservation Easement for any 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.
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, except in areas where wetland impacts are shown and approved with the General Development Plan.
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 to the EPS for review and approval prior to recommencing construction activities.

The Well Management Plan shall include the following information:

- Digital photographs of the well along with nearby reference structures (if existing);
- GPS coordinates (latitude/longitude) of the well;
- The methodology used to secure the well during construction (e.g. fence, tape); &



- The final disposition of the well - used, capped, or plugged.
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 floodplain as derived from the FEMA 2014 FIRM, Braden River Watershed Management Plan (WMP), master drainage modeling, and post-development discharge of runoff. The following design 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.

2. 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 (utilizing best available information from watershed management plans and associated master drainage modeling) shall be submitted to demonstrate compliance prior to commencement of construction.
3. Any fill within the 100-year floodplain (as derived from the FEMA 2014 FIRM, watershed management plans, or master drainage modeling) shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. 100-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation). Alternatively, the applicant can utilize drainage modeling (submitted for review to the Public Works Department with the Construction Plan submittal) to demonstrate no adverse drainage impacts are created for the design storm frequency events.
4. Ten (10) feet separation shall be provided between accessory structures (i.e., Heat Pumps, A/C Handlers, pool pumps, etc.) along the side yards of properties with a side yard setback of less than 7.5 feet.
5. The Engineer of Record (EOR) shall submit drainage modeling to demonstrate the allowable pre-development rate of discharge has been reduced by twenty-five (25) percent for Braden River/Evers Reservoir Watershed.

6. This project shall be required to provide 150% water quality treatment for Manatee River/Lake Manatee Watershed and the Braden River/Evers Reservoir Watershed.

#### **D. DEVELOPMENT REVIEW STIPULATIONS**

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.
2. The project must be built to the Manatee County Utility, Stormwater, and Highway & Traffic Standards that are in effect at the time of Construction Plan approval.

**Section 3. SPECIFIC APPROVAL.** Specific Approval is hereby granted for alternatives to Land Development Code Sections: 1) 401.5.A.2 to allow an alternative to provide a 20-foot landscape buffer with decorative fencing; 2) 1001.1.C to allow the second means of access to be for emergencies only until all phases are completed, and two permanent means of access are provided for 100 residential units or more; 3) 401.3.E.8 to allow a reduction to rear yard setback when adjacent to agricultural uses from 35-feet to 20-feet; and 4) 402.7.D.7 to allow a reduction to the minimum front yard setback from 20-feet to 15-feet.

**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/WP-E/WP-M/ST (General Agriculture/Watershed Protection Evers /Watershed Protection Lake Manatee/Special Treatment Overlays) to the PDMU/WP-E/WP-M/ST (Planned Development Mixed Use) zoning district, retaining the Watershed Protection Evers/Watershed Protection Lake Manatee and Special Treatment Overlay Districts, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the 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 upon the later (a) the filing of this Ordinance with the Office of the Secretary of State, Florida Department of State and (b) the effective date of Ordinance 23-28 approving Comprehensive Plan Amendment PA-22-06 and Ordinance 23-27 approving Comprehensive Plan Amendment PA-22-10, whichever is the last to occur.

**PASSED AND DULY ADOPTED**, by the Board of County Commissioners of Manatee County, Florida on the 24<sup>th</sup> day of May 2023.



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

BY:   
Kevin Van Ostenbridge, Chairman

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

BY:   
Deputy Clerk



**Exhibit "A"****Legal Description**

COMMENCE AT THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE S00°45'25"W, ALONG THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 1279.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°45'25"W, ALONG SAID EAST LINE, A DISTANCE OF 113.73 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE S00°22'19"W, ALONG SAID EAST LINE, A DISTANCE OF 1338.59 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 5; THENCE S00°32'45"W, ALONG SAID EAST LINE, A DISTANCE OF 659.91 FEET; THENCE S88°53'22"E, A DISTANCE OF 1328.65 FEET; THENCE S00°52'42"W, A DISTANCE OF 988.68 FEET; THENCE S88°56'20"E, A DISTANCE OF 15.00 FEET; THENCE S00°52'42"W, A DISTANCE OF 988.66 FEET TO A POINT ON THE SOUTH LINE OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE N88°59'20"W, ALONG SAID SOUTH LINE, A DISTANCE OF 1332.15 FEET TO THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE S01°02'12"W, ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 1642.39 FEET; THENCE S88°53'42"E, A DISTANCE OF 152.29 FEET; THENCE S01°03'10"W, A DISTANCE OF 327.93 FEET; THENCE S88°52'35"E, A DISTANCE OF 2517.79 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE N00°52'19"E, ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 328.41 FEET; THENCE S88°53'42"E, A DISTANCE OF 1334.27 FEET; THENCE S00°47'17"W, A DISTANCE OF 123.92 FEET TO THE CENTERLINE OF A CREEK; THENCE ALONG SAID CENTERLINE THE FOLLOWING EIGHT (8) COURSES: (1) S89°15'06"E, A DISTANCE OF 60.71 FEET; (2) S81°26'25"E, A DISTANCE OF 98.74 FEET; (3) S30°23'02"E, A DISTANCE OF 76.31 FEET; (4) S36°08'28"E, A DISTANCE OF 117.55 FEET; (5) S69°28'29"E, A DISTANCE OF 108.56 FEET; (6) N88°30'54"E, A DISTANCE OF 70.51 FEET; (7) S18°26'07"E, A DISTANCE OF 80.55 FEET; (8) S56°36'04"E, A DISTANCE OF 75.53 FEET; THENCE LEAVING SAID CREEK CENTERLINE, S88°52'35"E, A DISTANCE OF 755.46 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 675; THENCE S00°42'15"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 545.86 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE N88°49'47"W, ALONG SAID NORTH LINE, A DISTANCE OF 102.00 FEET; THENCE S00°42'31"W, A DISTANCE OF 329.38 FEET; THENCE N88°49'47"W, A DISTANCE OF 3631.22 FEET; THENCE S00°57'22"W, A DISTANCE OF 1315.02 FEET; THENCE N88°43'31"W, A DISTANCE OF 495.13 FEET; THENCE S01°02'12"W, A DISTANCE OF 1645.42 FEET; THENCE N88°42'18"W, A DISTANCE OF 136.60 FEET; THENCE S00°46'45"W, A DISTANCE OF 660.29 FEET; THENCE S88°45'53"E, A DISTANCE OF 406.28 FEET; THENCE S88°44'25"E, A DISTANCE OF 1338.79 FEET; THENCE S00°58'21"W, A DISTANCE OF 390.05 FEET; THENCE S88°44'34"E, A DISTANCE OF 166.52 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 28°12'01", A CHORD BEARING OF N77°09'25"E AND A CHORD DISTANCE OF 487.23 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 492.19 FEET; THENCE N63°03'25"E, A DISTANCE OF 1646.21 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 28°14'17", A CHORD BEARING OF N77°10'34"E AND A CHORD DISTANCE OF 243.94 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 246.42 FEET; THENCE S88°42'36"E, A DISTANCE OF 301.17 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 675; THENCE S00°00'52"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A



DISTANCE OF 80.40 FEET; THENCE N88°47'29"W, LEAVING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET; THENCE S00°42'38"W, A DISTANCE OF 737.03 FEET; THENCE S88°47'29"E, A DISTANCE OF 100.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 675; THENCE S00°42'38"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET; THENCE N88°47'29"W, LEAVING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET; THENCE S00°42'38"W, A DISTANCE OF 753.03 FEET; THENCE S88°47'29"E, A DISTANCE OF 100.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 675; THENCE S00°42'38"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET; THENCE N88°47'29"W, LEAVING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET; THENCE S00°42'38"W, A DISTANCE OF 151.21 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 16; THENCE N88°47'29"W, ALONG SAID SOUTH LINE, A DISTANCE OF 2540.81 FEET TO THE CENTER OF SAID SECTION 16; THENCE CONTINUE N88°47'29"W, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16, A DISTANCE OF 2675.68 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N88°56'55"W, A DISTANCE OF 1339.54 FEET; THENCE S00°52'29"W, A DISTANCE OF 2638.64 FEET TO A POINT ON THE SOUTH LINE OF SECTION 17, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE N88°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 1342.56 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 17, BEING A FOUND 4"X4" CONCRETE MONUMENT PER CERTIFIED CORNER RECORD NUMBER 112939; THENCE N00°56'25"E ALONG THE WEST LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 3295.17 FEET TO THE SOUTHWEST CORNER OF TRACT 38, WATERBURY GRAPEFRUIT TRACTS, AS RECORDED IN PLAT BOOK 2, PAGE 37, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S88°58'33"E ALONG THE SOUTH LINE OF SAID TRACT 38, A DISTANCE OF 1338.95 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 38; THENCE N00°53'21"E ALONG THE EAST LINE OF SAID TRACT 38, A DISTANCE OF 329.78 FEET TO THE NORTHEAST CORNER OF SAID TRACT 38; THENCE N88°59'13"W ALONG THE NORTH LINE OF SAID TRACT 38, A DISTANCE OF 1338.65 FEET TO THE NORTHWEST CORNER OF SAID TRACT 38, SAID CORNER ALSO LYING ON THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE N00°56'25"E ALONG SAID EAST LINE, A DISTANCE OF 1318.07 FEET TO THE SOUTHEAST CORNER OF TRACT 32 OF SAID WATERBURY GRAPEFRUIT TRACTS; THENCE N89°02'21"W ALONG THE SOUTH LINE OF TRACT 32 AND TRACT 1 OF SAID WATERBURY GRAPEFRUIT TRACTS, A DISTANCE OF 2674.78 FEET TO THE SOUTHWEST CORNER OF TRACT 1 OF SAID WATERBURY GRAPEFRUIT TRACTS IN SECTION 17, ALSO BEING ON THE WEST LINE OF SECTION 17, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE N01°03'37"E ALONG SAID WEST LINE OF THE NORTHWEST 1/4 OF SECTION 17, A DISTANCE OF 328.91 FEET TO THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 20 EAST, BEING A FOUND 1/2" IRON PIPE WITH NO IDENTIFICATION CAP, PER CERTIFIED CORNER RECORD NUMBER 112943; THENCE N00°59'04"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 8, A DISTANCE OF 2632.06 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 8, BEING A FOUND 5/8" IRON ROD AND CAP STAMPED "LB 7866"; THENCE S88°59'45"E ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 2675.39 FEET TO THE SOUTHWEST CORNER OF TRACT 40 OF THE AFOREMENTIONED WATERBURY GRAPEFRUIT TRACTS, SAID LINE ALSO BEING THE CENTER OF SAID SECTION 8; THENCE N01°00'46"E ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 8, A DISTANCE OF 2640.98 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE N00°46'37"E ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 5, A



DISTANCE OF 1326.93 FEET TO THE NORTHWEST CORNER OF TRACT 45 IN SECTION 5 OF SAID WATERBURY GRAPEFRUIT TRACTS; THENCE S88°32'30"E ALONG THE NORTH LINE OF SAID TRACT 45 AND TRACT 52, A DISTANCE OF 2671.35 FEET; TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID POINT ALSO BEING THE NORTHEAST CORNER OF TRACT 52 OF SAID WATERBURY GRAPEFRUIT TRACTS; THENCE N00°32'45"E ALONG SAID EAST LINE, A DISTANCE OF 659.91 FEET; THENCE N88°27'18"W, A DISTANCE OF 1334.37 FEET; THENCE N00°46'47"E, A DISTANCE OF 661.44 FEET TO A FOUND 5/8 INCH IRON ROD WITH NO IDENTIFICATION CAP, BEING ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE N88°23'14"W ALONG SAID SOUTH LINE, A DISTANCE OF 246.14 FEET; THENCE N00°48'24"E, 2585.94 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 64 PER FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1305-250; THENCE S88°16'14"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 450.68 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE S01°03'06"E, A DISTANCE OF 210.91 FEET; THENCE S89°15'05"E, A DISTANCE OF 209.18 FEET; THENCE S00°14'43"W, A DISTANCE OF 725.30 FEET; THENCE N89°04'55"W, A DISTANCE OF 206.51 FEET; THENCE S00°48'34"W, A DISTANCE OF 211.00 FEET; THENCE S89°04'55"E, A DISTANCE OF 1100.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 59,307,393 SQUARE FEET OF 1,361.5104 ACRES.

TOGETHER WITH;

TRACTS 1 AND 2 OF SECTION 9, TOWNSHIP 35 SOUTH, RANGE 20 EAST, IN WATERBURY GRAPEFRUIT TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 37, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: (AS-SURVEYED LEGAL DESCRIPTION)

COMMENCE AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE N88°59'20"W, ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 3,995.81 FEET TO THE POINT OF BEGINNING. THENCE S00°58'18"W, A DISTANCE OF 658.21 FEET; THENCE N88°56'07"W, A DISTANCE OF 1332.91 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 9; THENCE N01°02'12"E, ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 656.95 FEET; THENCE S88°59'20"E, A DISTANCE OF 1,332.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 876,255 SQUARE FEET OR 20.12 ACRES, MORE OR LESS.

BEING SUBJECT TO ANY RIGHTS-OF-WAY, RESTRICTIONS AND EASEMENTS OF RECORDS





## 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. PDMU-22-17(Z)(G), which was filed in this office on May 25, 2023.

Sincerely,

Anya Owens  
Administrative Code and Register Director

ACO/wlh