

PRELIMINARY SITE PLAN  
PDR-05-05(P) – YORT, LLC/RIVER CHASE

THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, having specifically considered the recommendation of the Planning Commission, the criteria set forth in Manatee County Ordinance No. 90-01 (the Manatee County Land Development Code); and finding PDR-05-05(P) consistent with Manatee County Ordinance No. 89-01 (the 2020 Manatee County Comprehensive Plan), PRELIMINARY SITE PLAN PDR-05-05(P) – YORT, LCC/RIVER CHASE is hereby approved to allow 231 lot single-family residential subdivision, and GRANTING Special Approval for a project: 1) adjacent to a perennial stream; 2) within the Coastal Evacuation Area Overlay District; 3) partially within the Coastal High Hazard Area; 4) partially in the Coastal Storm Vulnerability Area, and 5) partially in the 25-year floodplain subject to the following stipulations and specific approval:

STIPULATIONS:

A. FLOODPLAIN MANAGEMENT AND DRAINAGE CONDITIONS:

A.1 No lots shall be platted through the pre-development 25-year floodplain or the regulatory floodway. The area south of the 25-year floodplain, along with what the Preliminary Site Plan identifies as Ranch Lots 42 through 51, shall be dedicated to the County as a conservation easement. This area may be used for passive recreation. A conservation easement in a form acceptable to the County Attorney's Office shall be submitted for review and approval prior to Final Plat approval. The Final Site Plan shall reflect the relocation of proposed lots in the pre-development 25-year floodplain to an area outside of the pre-development 25-year floodplain. These revisions may include the shifting of lots to maintain the approved total number of lots and any necessary changes to roadways, which do not affect the external access points. Said revisions may be made administratively and will not require an amendment to the Preliminary Site Plan. No floodplain compensation areas shall be located within the FEMA floodway.

A.2 The project shall not increase the FEMA 100-year floodplain, or base flood elevations; and shall meet all FEMA requirements and guidelines, where applicable. Additionally, there shall be a "No Rise Certification" on the regulatory floodway.

A.3 Any roadway construction within the 100-year floodplain be elevated above the 100 year contour elevation.

A.4 Any fill within the 25-year or 100-year floodplains of the Manatee River shall be compensated by creation of an equal or greater storage volume above the seasonal high water table.

A.5 All wastewater lift stations, service cleanouts, and manhole rims shall be set 12 inches above the 25-year floodplain or 4 inches above the 100-year flood elevation, whichever is higher. However, the Project Management Department may approve service cleanouts and manhole rims installed no lower than 4" above the 25 year flood elevation. Design drawings must demonstrate tamper proof water tight manholes and cleanouts. Lift stations hatches shall be at least 4" above the 100-year elevation or 12" above the 25-year flood elevation, whichever is higher.

A.6 This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into the Gamble Creek. Modeling shall be used to determine pre- and post- development flows.

A.7 Drainage at the Rye Road (Goddard Branch) crossing and additional right-of-way or drainage easements for the road side ditches will be addressed at Construction Plan review.

A.8 Final engineering drainage design shall be approved with the Final Site Plan.

A.9 A conservation easement, in a form acceptable to the County Attorney's Office, shall be provided to the County prior to Final Plat approvals for any floodplain compensation areas on non-common property. The easement shall prohibit the alteration of these floodplain compensation areas.

A.10 There shall be a full 25-year flood attenuation on all stormwater ponds within the development.

A.11 The existing 25-year flood elevation along the Manatee River shall be utilized as tailwater condition.

A.12 The Drainage Model and Construction Plan shall demonstrate that no adverse impacts be created to neighboring residents surrounding the site in respect to drainage routing, grading, and site runoff.

A.13 A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plats along Goddard Creek within the project boundaries. In addition, a 25 feet wide Drainage Maintenance and Access Easement shall be dedicated on at least on side of Goddard Creek. The developer shall include in the Notice to Buyers that Manatee County has no obligation relative to Goddard Creek to maintain, change, improve, clean, repair erosion, or restore the natural changes in the course of the stream bed.

**B. INFRASTRUCTURE CONDITIONS:**

B.1 The applicant shall be responsible for bringing County water and sewer to the site. This approval is contingent upon the site being served by public utilities.

B.2 The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited, including on individual lots.

B.3 The applicant shall install dry lines for hook-up to future reuse lines and shall be provided for the entire subdivision, for both common area irrigation and single lot irrigation. At such time that reclaimed lines become available, use of stormwater or groundwater for irrigation shall be converted to reclaimed lines.

B.4 The Engineer of Record/Architect must provide documentation to prove that concurrency has been met relative to fire flow per Section 9.6.14 of the Comprehensive Plan prior to Final Site Plan approval.

**C. ENVIRONMENTAL CONDITIONS:**

C.1 The section of the trail located north of Ranch Lot 51 shall be relocated outside of the wetland. The Natural Resource Division (NRD) of the Planning Department will approve the final location with the Final Site Plan.

C.2 An Integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides and herbicides shall be submitted to the NRD for review and approval prior to Final Site Plan approval. Where practicable, native, xeriscape landscape materials shall be utilized in common areas. In addition, the developer shall encourage individual homeowner's to participate in the Florida Yards and Neighborhood Program by disseminating program information to individual lot owners.

C.3 Prior to Final Plat approval, the applicant shall remove all nuisance exotic plant species from upland portions of the project site, as required pursuant to Comprehensive Plan Policy 4.1.2.3.

C.4 The applicant shall provide signs adjacent to wetland buffers and conservation easements indicating that the area is a "Conservation Area." The type and location of such signs will be approved by the NRD prior to Final Site Plan approval.

C.5 A minimum fifteen foot building setback shall be provided between the upland edge of the wetland buffer and any adjacent structures in accordance with Section 702.6.10 of the LDC, unless otherwise approved by NRD.

C.6 Prior to development related land clearing activities, all applicable County approvals must be obtained through the Planning Department. If burning of trees and/or branches is required for land clearing, a burn permit must be first obtained from the Environmental Management Department. No burn permits will be issued until Final Site Plans/Construction Plans are approved.

C.7 Any significant historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the 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.

C.8 The applicant shall preserve a minimum of 7% of each native upland habitat found on-site. This shall be reviewed and approved by the NRD prior to Final Site Plan approval.

C.9 The following lots, as identified on the Preliminary Site Plan, shall be redesigned so as not to be platted through wetlands or wetland buffers:

- Ranch Lots 19 through 22, 31 and 32, and the rear of Ranch Lots 29 and 30,
- Estate Lot 14 and 32
- Executive Lots 13 through 20, 25 through 31

C.10 No docks shall be permitted within this development.

C.11 Prior to Final Site Plan approval, the applicant shall submit a Well Management Plan. The applicant should contact the EMD Water Well Permitting Program for additional information required in the plan.

C.12 An application for Fugitive Particulate abatement must be submitted to the Environmental Management Department at the time of Final Site Plan submittal and approved with the Final Site Plan.

#### D. PUBLIC SAFETY AND TRANSPORTATION CONDITIONS:

D.1 Prior to Final Site Plan Approval, the applicant shall gain approval of a Hurricane Evacuation Plan and Disaster Plan from the Director of Public Safety. The plan shall ensure delivery of the Manatee County "All-Hazard Guide" and Red Cross brochure "Your Family Disaster Plan" to each homeowner, and assure of receipt or posting of an evacuation zone map. The Homeowner's Association shall ensure that all subsequent purchasers receive copies of these documents.

D.2 The applicant and their heirs, assigns, or transferees, are hereby notified that a payment of an impact fee or special assessment for emergency shelter facilities shall be required if such a fee is adopted by the Board of County Commissioners prior to Certificate of Occupancy.

D.3 The Notices 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 Site Plan and shall include language to inform homeowners in the project of the Hurricane Evacuation Plan approved by the Public Safety Department for this project.

D.4 Dedication of additional right-of-way along Rye Road to Manatee County to provide a 60 foot half-width right-of-way shall be made with the first Final Plat.

D.5 The Notices 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 Site Plan and shall include language to inform homeowners in the project that this project is downstream of the Lake Manatee Dam, and that the dam is not designed or intended to be operated as a flood control device. Manatee County routinely releases water from the reservoir in anticipation of and during heavy rain events. In the worst case scenario, waters released from the dam, when combined with waters from storm events, may exceed the mapped 25-year and 100-year floodplains. This project has been designed to account for the 100-year storm event. In the worst case scenario, your property, similar to other properties in Manatee County, may flood.

E. DESIGN AND LAND USE CONDITIONS:

E.1 At time of Final Site Plan, the northern inter-neighborhood tie may be shifted to the east, along the north boundary of the site, as approved by the Planning and Transportation Departments, to provide a proper alignment with the future extension of Mulholland Road.

E.2 The pavement and sidewalk for the northern inter-neighborhood tie shall be extended to the north boundary line of the project and shall be depicted as such on all future site plans.

E.3 A non-ingress egress easement shall be recorded along the frontage of all lots along North Rye Road, except for Ranch Lot 21, prior to first Final Plat approval.

E.4 The 20 foot greenbelt along the north and southeast boundary lines shall be planted with two offset rows of canopy trees placed 40 feet on center, with 33 shrubs per 100 linear feet. The two rows will be offset from each other to give the appearance of trees located 20 feet on center. The NRD of the Planning Department shall review the design with the Final Site Plan, if found appropriate by NRD, the type or quantity of trees may be revised.

E.5 The 30 foot roadway buffer along North Rye Road shall be planted with three rows of trees (first row planted with under story trees, second row planted with canopy trees and the third row planted with understory trees) spaced 40 feet on center, with 33 shrubs per 100 linear feet. The NRD of the Planning Department shall review the design with the Final Site Plan, if found appropriate by NRD, the type or quantity of trees may be revised.

E.6 Existing native vegetation shall be preserved to meet screening requirements, unless otherwise approved by the NRD.

E.7 An interneighborhood tie shall be provided to the south, in the vicinity of Ranch Lot 25, and to the east, in the vicinity of Ranch Lot 38. The final locations shall be reviewed and approved by staff with the Final Site Plan. The ties shall connect with the proposed ties in the Water's Edge Subdivision to the south and east.

E.8 The recreational amenities within the 4.8 acre park (the tot lot, basketball court, soccer or baseball field, benches, and bike rack) and the nature trail (path, boardwalks, benches and educational signs) shall be constructed or bonded prior to Final Plat approval of the second phase.

E.9 The tot lot shall contain commercial grade playground equipment and five shade trees.

E.10 The Notices 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 Site Plan and shall include language to inform homeowners of the presence of inter-neighborhood ties and the possible future extension of Mulholland Road along the north property line extending to North Rye Road, and that traffic from the surrounding properties, when developed, may use the roads within this development.

E.11 The Notices 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 Site Plan and shall include language to inform homeowners of the presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.

E.12 The 15 foot wide common area landscape buffer located along the boulevard entrance shall be extended to the west property line of Estate Lot 32, as identified on the Preliminary Site Plan.

E.13 Prior to Final Plat approval for each phase all existing barbed-wire fencing must be removed.

E.14 Pedestrian and equestrian trail facilities shall be provided along Rye Road for the length of the project. The type of construction and construction details shall be determined at Final Site Plan.

E.15 No lots shall be platted through the greenbelt or roadway buffers. The rear yard building setback for Ranch Lots 3 through 13 shall be 30 feet. The rear yard building setback for Ranch Lots 14, 15, 18, and 19 shall be 20 feet.

SPECIFIC APPROVALS:

1. Specific Approval of an alternative to Section 907.9.4.1 of the Manatee County Land Development Code to allow: (1) the northern most cul-de-sac to be 1,150 feet in length, with an inter-neighborhood tie to connect to the future extension of Mulholland Road; and (2) the southern most cul-de-sac to be 1,200 feet in length, with a hammerhead turnaround provided at 800 feet until the inter-neighborhood tie is constructed to the subdivision to the south (Water's Edge).

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 29<sup>th</sup> day of March, 2005.

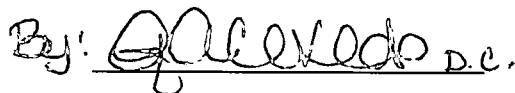
BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

BY:

  
Chairman

ATTEST: R. B. SHORE  
Clerk of the Circuit Court



By:  D.C.