Manatee County Zoning Ordinance

ZL-26-02 – GETTEL BRADENTON INC. REZONE –
GETTEL BRADENTON INC. (OWNER) – PLN2602-0134

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 1.14 ACRES OF AN APPROXIMATELY 11.37 ACRE PARCEL FROM SUBURBAN AGRICULTURE (A-1) TO GENERAL COMMERCIAL/LIMITED (GC/L) ZONING DISTRICT WITH THE REMAINING APPROXIMATELY 10.23 ACRES OF SAID PARCEL RETAINING THE EXISTING PLANNED DEVELOPMENT – MIXED USE (PD-MU) ZONING DESIGNATION; THE PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF SR 64 EAST, APPROXIMATELY 1,500 FEET WEST OF CYPRESS CREEK BOULEVARD AND 300 FEET EAST OF MORGAN JOHNSON ROAD, AND COMMONLY KNOWN AS SR 64 E, BRADENTON (UNINCORPORATED MANATEE COUNTY); APPROVING A SCHEDULE OF PERMITTED AND PROHIBITED USES AND CONDITIONS OF APPROVAL, AS VOLUNTARILY PROFFERED BY THE APPLICANT LIMITING USE TO OUTDOOR STORAGE AND ATTACHED AS EXHIBIT B; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Gettel Bradenton, Inc. (the "Applicant") filed an application to rezone approximately 1.14 acres of an approximately 11.37 acre parcel described in Exhibit "A", attached hereto, (the "Property") Suburban Agriculture (A-1) to General Commercial/Limited (GC/L) Zoning District with the remaining approximately 10.23 acres of said parcel retaining the existing Planned Development – Mixed Use (PD-MU) Zoning Designation; and

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

WHEREAS, the Manatee County Planning Commission, after due public notice, held public hearings on August 13, 2026, and September 17, 2026, to consider the rezone with Conditions and the Schedule of Permitted and Prohibited Uses 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 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 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

of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of the County, 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 concerned the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance for approximately 1.14 acres of an approximately 11.37 acre parcel from Suburban Agriculture (A-1) to General Commercial/Limited (GC/L) Zoning District with the remaining approximately 10.23 acres of said parcel retaining the existing Planned Development – Mixed Use (PD-MU) Zoning Designation.

B. The Board of County Commissioners, after due public notice, held public hearings on September 3, 2026, and October 8, 2026, 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 the 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.

Section 2. REZONE / LIMITED. The rezone is hereby approved upon the property, subject to the following Conditions:

A. DESIGN AND LAND USE

1. The uses approved for this project shall be limited to those voluntarily proffered by the applicant in the Schedule of Permitted and Prohibited Uses attached as Exhibit "B".

2. All applicable federal and state permits shall be obtained prior to commencement of development.

B. 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 1% Annual Chance Flood Hazard.

2. 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 post-development discharge of runoff. 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:

NOAA Atlas 14 rainfall data shall be used for stormwater modeling (This applies to PDR/PDC projects).

Storm Frequency	Cumulative Rainfall	Rainfall Distribution
2.33-year/24-hour	4.5 inches	FLMOD
10-year/24-hour	NOAA Atlas	14 FLMOD
25-year/24-hour	NOAA Atlas	14 FLMOD
50-year/24 hour	NOAA Atlas	14 FLMOD
100-year/24-hour	NOAA Atlas	14 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 development condition shall include results in terms of runoff and staging

3. Any fill within the FEMA 1% annual chance flood hazard area as delineated shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. FEMA 1% annual chance flood hazard area compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation).

4. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan for the existing ditch along the western property line within the project boundaries. In addition, a Drainage-Maintenance Access Easement shall be provided along the top-of-bank of the system. Manatee County is only responsible for maintaining the free flow of drainage through these systems.

C. TRANSPORTATION

1. The applicant indicated that the project area will be used to store additional vehicles for vehicle sales center. The transportation analysis for this Project was based on the representations from the Applicant that the infrastructure on the proposed rezoned portion (1.14 acres) will not be open to vehicular traffic from the public. In the event the infrastructure on the Rezoned Parcel is open to vehicular traffic from the public or if the building footprint on the parcel is extended due to this use, the County may require the Applicant to submit additional traffic studies.

2. The County has repealed transportation concurrency and implemented an Alternative Transportation System (ATS). Therefore, at the time of future site plan submittal and accompanying Multimodal Site Access and Safety Analysis (MSASA) review, all proposed access points will be evaluated with a Trip Reservation Report and Operational Analysis (TRR & OA) to determine if any site and safety related improvements will be required for the site.

Section 3. 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, for approximately 1.14 acres of an approximately 11.37 acre parcel from Suburban Agriculture (A-1) to General Commercial/Limited (GC/L) Zoning District with the

remaining approximately 10.23 acres of said parcel retaining the existing Planned Development – Mixed Use (PD-MU) Zoning Designation.

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 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 approval 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 8th day of October 2026.

MANATEE COUNTY FLORIDA

BOARD OF COUNTY COMMISISONERS OF MANATEE COUNTY, FLORIDA.

BY: _____
Chairperson

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

BY: _____
Deputy Clerk

Exhibit "A"

Legal Description

LOTS 14, 15, 16, 17, 18, 19, 20, 22, 23 AND 24, BLOCK 3, FLORIANA COURT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 162, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LESS THAT PART LYING WITHIN 158.00 FEET NORTHERLY OF THE SURVEY LINE OF STATE ROAD 64 (ARCADIA). SECTION 1305, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS:

BEGIN ON THE WEST LINE OF SAID SECTION 27 AT A POINT 1037.83 FEET S 0°05'08" W OF A 1/2" IRON PIPE MARKING THE NW CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 27, SAID POINT BEING ON SAID SURVEY LINE; THENCE S 61°44'52" E 402.28 FEET ALONG SAID SURVEY LINE TO THE BEGINNING OF A CURVE CONCA VE TO THE NORTHERLY HAVING A RADIUS OF 2864.79 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE 1130.83 FEET THROUGH A CENTRAL ANGLE OF 22°37'00" TO THE END OF SAID CURVE; THENCE S 84°21'52" E 2662.57 FEET ALONG SAID SURVEY LINE TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 5729.58 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE 1021.67 FEET THROUGH A CENTRAL ANGLE OF 10°13'00" TO THE END OF SAID CURVE; THENCE S 74°08'52" E 323.26 FEET ALONG SAID SURVEY LINE TO THE EAST LINE OF SAID SECTION 27, AT A POINT 601.98 FEET N 0°15'08" E OF 3/4" IRON PIPE MARKING THE SE CORNER OF SAID SECTION 27 .

TOGETHER WITH:

A PORTION OF A RIGHT OF WAY VACATION AS PER RESOLUTION R-25-175, AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS IN MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 64 A

258.00 FEET WIDE PUBLIC RIGHT OF WAY AS DEPICTED AND RECORDED IN THE FLORIDA DEPARTMENT OF TRANSPORTATION STATE HIGHWAY RIGHT OF WAY MAP (PROJECT NUMBER 13050-000-4161201), DATED JULY 20, 2006, ORIGINALLY ARCADIA ROAD PER SAID RIGHT OF WAY MAP AND THE WESTERLY RIGHT OF WAY LINE OF GARDENIA STREET, A 40 FOOT WIDE PUBLIC RIGHT OF WAY, AS DEPICTED AND RECORDED IN FLORIANA COURT, A SUBDIVISION IN PLAT BOOK 2, PAGE 162, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THENCE N.00°18' 40"E., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 18.23 FEET TO THE NORTHEAST CORNER OF LOT 21, BLOCK 3, SAID SUBDIVISION; SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N.00°18' 40"E., ALONG THE EASTERLY LINE OF LOTS 22-24 SAID SUBDIVISION A DISTANCE OF 155.00 FEET; THENCE S.89°41'33"E., A DISTANCE OF

20.00 FEET; THENCE S.00°18'40"W., A DISTANCE OF 155.00 FEET; THENCE N.89°41'20"W., A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY, AND RESTRICTIONS OF RECORD, IF ANY, TOTAL PARCEL CONTAINING 49,797 SQUARE FEET OR 1.14 ACRES, MORE OR LESS.

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 9, 2026

Angelina Colonneso
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Colonneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. ZL-26-02, which was filed in this office on October 9, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp