

The following is a "white paper" given to the Manatee County Development Services Dept by the President of the Manatee-Sarasota Building Industry Association (BIA). Below are proposed changes to the county's Land Development Code - strikethrough shows deletions of existing code or language, and underlined text shows additions.

(The Bradenton Times has provided these notes in blue for clarification)

### 320.2. Applicability.

Pursuant to this Code, in certain circumstances a site plan may be required as part of a submitted application for development approval, or may be considered and approved as a separate step in the development process (where authorized by this Code).

- A. **General Development Plan Review Required.** General Development Plans shall be required in connection with applications for Planned Development zoning, for all Planned Development projects on property which is zoned for Planned Development but which has no previous plan approval, and Developments of Regional Impact. An applicant may voluntarily proceed, or be required to proceed directly to Preliminary Site Plan approval where the Board determines a General Development Plan will not provide adequate detail to assure compliance with this Code and the Comprehensive Plan. If the applicant elects to submit a Preliminary Site Plan without receiving General Development Plan approval, the Preliminary Site Plan shall meet all the requirements hereunder for a General Development Plan and shall be reviewed for all of the criteria in this Code for both a General Development Plan and a Preliminary Site Plan.
- B. **Preliminary Site Plan Review Required.** Preliminary Site Plans shall be required for Planned Development projects as provided for in Section 320.2, above. Preliminary Site Plan review may also be used in conjunction with other development review application types where a Preliminary Site Plan may provide adequate detail to make a decision prior to going through the effort of preparing a Final Site Plan.
- C. **Final Site Plan Review Required.** Final Site Plan review is required for all development projects, except the following activities:
  - 1. *Dwellings.* One-family, two-family, or mobile home dwellings and their accessory uses and structures, including home occupations, but not including such uses which allow more than two (2) dwelling units per lot.
  - 2. *Temporary Uses.*
  - 3. *Limited Increase in Gross Floor Area.* When additions, improvements, or alterations to existing uses do not result in an increase of all the structures on the lot in excess of one thousand (1,000) square feet of gross floor area or equals ten (10) percent of the total existing gross floor area, whichever is greater, not to exceed two thousand (2,000) square feet in area.
  - 4. *Change of Use with no Additional Parking Spaces Required.* A change of use within an existing structure, which does not require Special Permit approval and does not require additional parking spaces pursuant to Section 1005, Off-Street Parking. See Section 345 for Zoning Compliance Permit requirements.
  - 5. *Exempted Special Permits.* When the Department Director determines that the external modifications to an existing structure to be occupied by a Special Permit site would not require submission of a Final Site Plan.
  - 6. *Agriculture.* Non-commercial agricultural buildings such as barns, storage structures and similar facilities which contain no wholesale or retail sales activities. Commercial agricultural buildings, such as greenhouses, shall, however, meet all requirements outlined in Chapter 5, Part II, Standards for Accessory Uses and Structures. This exemption shall not apply to any retail agricultural use, building or operation such as farm equipment and supply establishment.
  - 7. *Residential Amenity Centers.* An amenity center associated with a residential development, not to exceed two thousand (2,000) square feet in climatized floor area.

### 334.1. General Requirements.

Construction drawings, which provide detailed technical information on all site improvements prior to actual construction, are required to ensure that development will be in conformance with County Codes and any conditions of the approved development. The completeness and adequacy of the construction drawings shall be determined by the Department Director based on the type of development approval required. Construction drawings shall be prepared and certified by an engineer, except as exempted by Chapter 471, Florida Statutes, and shall conform to the requirements of the Manatee County Development Standards and the requirements of this Code. Where a Final Site Plan contains all of the information required under this section, the developer may elect to have the Final Site Plan also serve as the construction drawings.

### 400.8. Future Land Use Categories and Zoning Districts.

No property shall be rezoned unless it is to a district that implements the future land use designation of the site and is consistent with the policies of the Comprehensive Plan. In no event shall the density or intensity in a given zoning district exceed the maximum permitted in the Future Land Use designation of the site. Properties that currently have a zoning designation that is not consistent with the future land use category are not required to rezone to continue using the property as it exists. However, if the property owner wishes to rezone the property, it shall be to a designation that is consistent with the assigned future land use category. The existing development on those sites are subject to the provisions of Section 107, Nonconformities.

The following table correlates individual zoning districts with future land use categories. Not all the zoning districts shown under a future land use category, however, are presumed to be appropriate for a site with that particular future land use designation. The factors listed in Section 342.3 need to be met in order to approve the zoning map amendment request.

Planned Development (PD) Districts are allowed within all Comprehensive Plan Future Land Use Map categories, provided the rezoning request meets the requirements of Section 342.4 and is consistent with the Comprehensive Plan and corresponding future land use designation.

**Table 4-1: Future Land Use Categories and Zoning Districts**

Future Land Use Category	Zoning Districts
CON (Conservation)	CON
AG/R (Agriculture/Rural)	CON, A, EX NC-S*
ER (Estate Rural)	CON, A, MP-I NC-S*
RES-1 (Residential-1)	CON, A, A-1, RSF-1, <u>RSF-F</u> , RVP, MP-I NC-S*, NC-M*, PR-S*, PR-M*, GC*
RES-3 (Residential-3)	CON, A-1, RSF-1, RSF-2, RSF-3, <u>RSF-F</u> RVP, RDD-3, MP-I NC-S*, NC-M*, PR-S*, PR-M*, GC*
UF-3 (Urban Fringe-3)	CON, A-1, RSF-1, RSF-2, RSF-3, <u>RSF-F</u> RVP, RDD-3, MP-I NC-S*, NC-M*, PR-S*, PR-M*, GC*
RES-6 (Residential-6)	CON, VIL, RSF-2, RSF-3, RSF-4.5, RSF-6, <u>RSF-F</u> , RVP, RSMH-4.5, RSMH-6, RDD-3, RDD-4.5, RDD-6, RMF-6, MP-I NC-S*, NC-M*, PR-S*, PR-M*, GC*

RES-9 (Residential-9)	CON, VIL, RSF-3, RSF-4.5, RSF-6, RSF-9, <u>RSF-F</u> RVP, RSMH-4.5, RSMH-6, RDD-3, RDD-4.5, RDD-6, RMF-6, RMF-9, MP-I NC-S*, NC-M*, PR-S*, PR-M*, GC*
RES-12 (Residential-12)	CON, RSF-4.5, RSF-6, RSF-9, , <u>RSF-F</u> , RVP, RSMH-4.5, RSMH-6, RDD-3, RDD-4.5, RDD-6, RMF-6, RMF-9, RMF-12, MP-I NC-S*, NC-M*, PR-S*, PR-M*, GC*
RES-16 (Residential-16)	CON, RSF-6, RSF-9, <u>RSF-E</u> , RVP, RSMH-6, RDD-3, RDD-4.5, RDD-6, RMF-6, RMF-9, RMF-12, RMF-16, MP-I, NC-S*, NC-M*, PR-S*, PR-M*, GC*
OL (Low Intensity Office)	CON, RSF-3, RSF-4.5, RSF-6, <u>RSF-E</u> , RSMH-4.5, RSMH-6, RDD-3, RDD-4.5, RDD-6, RMF-6, PR-S, PR-M, MP-I
OM (Medium Intensity Office)	CON, PR-S, PR-M, NC-S, NC-M, MP-I
R/O/R (Retail/Office/ Residential)	CON, RSF-3, RSF-4.5, RSF-6, RSF-9, <u>RSF-F</u> , RSMH-6, RVP, RDD-3, RDD-4.5, RMF-6, RMF-9, RMF-12, RMF-16, NC-S, NC-M, GC, HC, MX, PR-S, PR-M, MP-I
IL (Light Industrial)	CON, LM, HC, NC-S*, NC-M*, MP-I
IH (Heavy Industrial)	CON, LM, HM, HC, NC-S*, NC-M*, MP-I
IU (Urban Industrial)	<i>Requires rezoning to PD</i>
MU (Mixed Use)	CON, RSF-1, RSF-2, RSF-3, RSF-4.5, RSF-6, RSF-9, <u>RSF-F</u> RVP, RMF-6, RMF-9, RMF-12, PR-S, PR-M, NC-S, NC-M, GC, MX, LM, MP-I
MU-C/AC-1 (Mixed-Use Community)	CON, RMF-6, RMF-9, RMF-12, PR-S, PR-M, NC-S, NC-M, GC, LM, MP-I
MU-C/AC-2 (Mixed-Use Community)	CON, RMF-6, RMF-9, PR-S, PR-M, NC-S, NC-M, GC, LM, MP-I
MU-C/AC-3 (Mixed-Use Community)	CON, RSF-3, RSF-4.5, RSF-6, <u>RSF-F</u> , RMF-6, PR-S, PR-M, NC-S, NC-M, GC, LM, MP-I
MU-C/R (Mixed-Use Community)	CON, RSF-1, RSF-2, RSF-3, RSF-4.5, RSF-6, <u>RSF-F</u> , RMF-6, RMF-9, PR-S*, PR-M*, NC-S*, NC-M*, MP-I
MU-C/RU (Mixed-Use Community)	CON, RSF-1, RSF-2, RSF-3, RSF-4.5, RSF-6, <u>RSF-F</u> , RMF-6, RMF-9, PR-S*, PR-M*, NC-S*, NC-M*, MP-I
P/SP(1) (Public/Semi-Public)	<i>Requires rezoning to PD</i>
P/SP(2) (Public/Semi-Public)	<i>Requires rezoning to PD</i>
AT (Major Attractors)	<i>Requires rezoning to PD</i>
R/OS (Major Recreation/Open Space)	<i>Requires rezoning to PD</i>

\* Subject to Commercial Locational Criteria. The Future Land Use Element prohibits the increase of densities in the CEA and CHHA districts. Therefore, no rezonings to higher densities are allowed within those overlay districts.

### 401.1. Purpose of Districts.

- A. **Conservation District (CON).** The CON District is intended to preserve and protect large areas of open space, vegetative habitat, natural drainage systems, aquifer recharge areas, soils, and wildlife habitats located on

public property or on privately-held lands as desired by the property owner. Conservation lands are intended primarily for the purpose of preserving natural resources.

All commercial agricultural operations within CON Districts must possess approved Conservation Plans consistent with the Comprehensive Plan, and incorporate site specific best management practices approved by Manatee County and applied by the applicant.

- B. **General Agriculture District (A).** The A District is intended to preserve agricultural lands, promote general agricultural economic activity, and allow for the co-existence of other uses generally consistent with agricultural activities. In addition, it is intended that agricultural areas be protected from the encroachment of incompatible uses and that development be guided within the district.
- C. **Agricultural Suburban District (A-1).** The purpose of this district is to permit short-term agricultural and related uses and to provide for areas transitioning from rural to suburban character.
- D. **Village Districts (Myakka City, Parrish, Rubonia) (VIL).** The village districts are established to conserve the distinctive rural village character of rural communities where conventional urban zoning would be inconsistent with established patterns of land use and to ensure that new uses which might be located in these areas can be harmoniously incorporated into their surroundings.
- E. **Residential Single Family Districts (RSF-1, RSF-2, RSF-3, RSF-4.5, RSF-6 and RSF-9).** The purpose of these districts is to provide for residences in a suburban environment at low to medium densities, to accommodate residential support uses (as defined in Chapter 2) and other limited non-residential uses, and to protect these areas from the encroachment of incompatible uses.
- F. **Residential Single Family Flex District (RSF-F)** The purpose of this district is to provide for a variety of single-family residential units throughout the community, to accommodate residential support uses (as defined in Chapter 2) and other limited non-residential uses, and to provide an alternative to the use of Planned Development Districts.
- F. **Residential Single Family Mobile Home Districts (RSMH-4.5 and RSMH-6).** The RSMH districts are intended to accommodate mobile home parks and subdivisions in a suburban residential environment. The minimum size to establish this district shall be twenty (20) acres.
- G. **Residential Duplex Districts (RDD-3, RDD-4.5, RDD-6).** The purpose of this district is to provide for medium density residential uses, including single-family and duplex development, and to accommodate residential support uses and other limited non-residential uses.
- H. **Residential-Multi-Family Districts (RMF-6, RMF-9, RMF-12 and RMF-16).** The purpose of these districts is to provide areas for multiple family dwelling units at medium to high densities at appropriate locations. In addition, the districts are intended to accommodate complementary residential support uses (as defined in Chapter 2) and limited non-residential uses.
- I. **Professional Small and Medium Office Districts (PR-S and PR-M).** The PR districts are designed to provide for office development on a small (PR-S) and medium (PR-M) scale to serve nearby residential neighborhoods. Therefore, this district shall only be applied at appropriate locations to serve the needs of such neighborhoods. The PR-M district may also facilitate mixed-use, including attached dwellings, multi-family residential and office, within Urban Corridors and activity nodes.
- J. **Neighborhood Commercial Small and Medium Districts (NC-S and NC-M).** The purpose of these districts is to provide for limited retail uses, personal services and offices in free-standing parcels or small shopping centers to serve residential neighborhoods. This district shall only be applied at appropriate locations to supply the daily retail and service needs of such neighborhoods. These districts may also facilitate mixed-use, including attached dwellings and multi-family residential, within Urban Corridors and activity nodes.
- K. **Mixed-Use District (MX).** The purpose of the MX district is to accommodate regional-serving commercial uses, allowing and encouraging (but not requiring) the horizontal or vertical mix of such uses with residential.

- L. **General Commercial District (GC).** The purpose of this district is to provide for a variety of retail use and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district may also facilitate attached dwellings, multifamily residential, and mixed-use (including multifamily residential).
- M. **Heavy Commercial District (HC).** The purpose of this district is to provide areas for intense commercial activities permitting commercial and service uses which have greater external effects such as noise, traffic, vibration, outdoor storage and other such impacts than those permitted in less intensive districts.
- N. **Recreational Vehicle Park District (RVP).** The RVP district is established to provide for development of recreational vehicle parks intended for overnight or limited stay occupancy, consistent with the Comprehensive Plan classification of these uses as non-residential.
- O. **Light Manufacturing District (LM).** The purpose of this district is to provide areas for light manufacturing, processing or assembling uses, intensive commercial uses and other light industrial uses in appropriate areas of Manatee County.
- P. **Heavy Manufacturing District (HM).** The purpose of this district is to provide for areas of intensive manufacturing and industrial uses in appropriate areas of Manatee County that are capable of supporting such uses.
- Q. **Extraction District (EX).** The EX District is established to provide for areas in which mining, beneficiation, and other closely related activities may be conducted in a manner that will not interfere with surrounding land uses and the general character of the area. The district is intended to ensure the orderly extraction of mineral resources in a manner compatible with the overall development of the County; assure the use of best management practices and developing technology for maximum control of potential adverse environmental impacts, ensure that mining activity and reclamation will be conducted in such a manner as not to preclude future normal uses of mined-out land; and permit the beneficial use of such lands consistent.
- R. **Master Planned Institutional District (MP-I).** The MP-I District is established to provide for areas for institutional uses such as churches, schools, medical facilities, or other similar uses with multiple buildings and/or facilities in a campus setting. The district is designed to allow for future expansions and eventual build-out of master planned campuses while ensuring compatibility with adjacent land uses. In addition, this district shall allow for vertical integration of structures and a compact form of development in a village setting. This zoning district shall not be construed to grant entitlements to any property approved for an institution master plan in excess of any statutorily prescribed threshold for a development-of-regional-impact review under applicable state law. The permissible uses within the MP-I District shall be limited to those uses authorized pursuant to Table 4-3.

## 401.2. Schedule of Uses.

Except as specifically provided in this Code, regulations governing the use of land, water and structures within the various districts in the unincorporated portion of Manatee County shall be as shown in Table 4-2 for agriculture and residential districts and Table 4-3 for non-residential districts.

Uses of land or structures not expressly listed in the schedule of uses as Permitted or Special Permit Uses are prohibited and shall not be established in that district. Uses listed as Permitted (P) or Special Permit (SP) uses, or subject to additional standards (section number listed in table), may be established in that district only after approval of an application in accord with the procedures and requirements in Chapter 3. Notwithstanding the development review requirements (P or SP) noted in Tables 4-2 and 4-3, the Comprehensive Plan or other sections of this LDC may require a rezone to Planned Development.

Whenever there is any uncertainty as to the classification of a use, the Department Director shall determine the classification, if any, within which the use falls, based on its characteristics and similarity to other uses in the

district. If a use has characteristics similar to more than one (1) classification, the use shall be construed as the classification having the most similar characteristics. In the event that a particular use is determined not to be within an allowed defined use, then the particular use shall be prohibited.

Mixed-use developments may only include uses that are specifically allowed in the applicable zoning district. If any use in a proposed mixed-use development requires SP approval, the entire mixed-use site must be reviewed under the SP process.

**Table 4-2: Uses in Agriculture and Residential Districts**

Land Use	See Sec. #	CON	A	A-1	RSF	<u>RSF-F</u>	RSMH	RDD	RMF	VIL
<b>AGRICULTURAL USES</b>										
Agricultural Research Facilities	—	X	P	P	X	<u>X</u>	X	X	X	P
Agricultural Uses	531.1	SP	P	P	SP	<u>SP</u>	SP	SP	SP	P
Agricultural Products Processing Plants	531.1	X	P	X	X	<u>X</u>	X	X	X	SP
Animal Products Processing Facility	531.1	X	SP	X	X	<u>X</u>	X	X	X	SP
Short Term Agricultural Uses	531.1	X	P	P	P	<u>P</u>	P	P	P	P
Stables or Equestrian Centers: Private	531.41	X	P	P	X	<u>X</u>	X	X	X	P
Stables or Equestrian Centers: Public	531.41	X	P	P	X	<u>X</u>	X	X	X	P
Tree Farm	531.1	P	P	P	P	<u>P</u>	P	P	P	P
Animal Services (Wild and Exotic)	531.5	P	P	P	P	<u>P</u>	P	P	P	P
Breeding Facility (Non-Wild & Exotic)	531.8	X	P	SP	X	<u>X</u>	X	X	X	P
Farming Service Establishments	531.18	X	P	SP	X	<u>X</u>	X	X	X	P
Farm Worker Housing	531.19	X	P	SP	X	<u>X</u>	X	X	X	SP
Pet Service (Kennel) Establishments	531.38	X	P	SP	X		X	X	X	SP
Sawmills	531.1	X	P	X	X	<u>X</u>	X	X	X	SP
Slaughterhouses	531.1	X	SP	X	X	<u>X</u>	X	X	X	X
Stockyards and Feedlots	531.1	X	SP	X	X	<u>X</u>	X	X	X	SP
Veterinary Hospitals	531.58	X	P	SP	X	<u>X</u>	X	X	X	P
<b>COMMERCIAL - RETAIL</b>										
Alcoholic Beverage Establishment	531.4	X	X	X	X	<u>X</u>	X	X	X	X
Alcoholic Beverage Establishment - 2 COP License	531.4	X	X	X	X	<u>X</u>	X	X	X	X
Auction Houses, Enclosed	—	X	X	X	X	<u>X</u>	X	X	X	X
Auction Houses, Open	531.6	X	X	X	X	<u>X</u>	X	X	X	X

Building Materials Sales Establishment	531.9	X	X	X	X	<u>X</u>	X	X	X	SP
Lumberyard	531.9	X	P	X	X	<u>X</u>	X	X	X	X
Drive-Through Establishments	531.16	X	X	X	X	<u>X</u>	X	X	X	P
Gas Pumps	531.51	X	X	X	X	<u>X</u>	X	X	X	P
Recreational Vehicle/Mobile Home Sales, Rental & Leasing	531.43	X	X	X	X	<u>X</u>	X	X	X	SP
Restaurant	531.48	X	X	X	X	<u>X</u>	X	X	X	P
Retail Sales, Neighborhood Convenience	531.49	X	X	X	X	<u>X</u>	X	X	X/p <sup>1</sup>	P
Retail Sales, General	531.49	X	X	X	X	<u>X</u>	X	X	X	P/SP
Service Station	531.51	X	X	X	X	<u>X</u>	X	X	X	SP
Vehicle Sales, Rental, Leasing	531.57	X	X	X	X	<u>X</u>	X	X	X	SP
<b>COMMERCIAL - SERVICES</b>										
Banking: Bank	—	X	X	X	X	<u>X</u>	X	X	X	P
Banking: Bank/Drive-through	531.16	X	X	X	X	<u>X</u>	X	X	X	P
Bed and Breakfast	531.7	X	P	SP	SP	<u>X</u>	X	P	P	P
Business Services	—	X	X	X	X	<u>X</u>	X	X	X	P
Printing, Medium	—	X	X	X	X	<u>X</u>	X	X	X	P
Printing, Small	—	X	X	X	X	<u>X</u>	X	X	X	P
Car Wash: Full Service	531.10	X	X	X	X	<u>X</u>	X	X	X	X
Car Wash: Incidental	531.10	X	X	X	X	<u>X</u>	X	X	X	SP
Car Wash: Self-Service	531.10	X	X	X	X	<u>X</u>	X	X	X	P
Clinics	—	X	X	X	X	<u>X</u>	X	X	X	P
Equipment sales, rental, leasing, storing and repair - heavy	531.18	X	P	SP	X	<u>X</u>	X	X	X	P
Construction equipment	531.18	X	X	X	X	<u>X</u>	X	X	X	SP
Equipment Sales, rental, leasing, storage and repair - light	—	X	P	SP	X	<u>X</u>	X	X	X	P
Food Catering Service Establishment	531.21	X	X	X	X	<u>X</u>	X	X	X	X
Free Standing Emergency Department (FSED) <sup>3</sup>	531.62	X	X	X	X	<u>X</u>	X	X	X	X
Funeral Chapel	531.22	X	P	P	SP	<u>X</u>	SP	SP	SP	P
Funeral Home	531.22	X	SP	SP	SP	<u>SP</u>	SP	SP	SP	SP
Hospital <sup>2</sup>	—	X	X	X	X	<u>X</u>	X	X	X	X
Intensive Services: All Others	531.26	X	X	X	X	<u>X</u>	X	X	X	P
Intensive Services: Exterminating and Pest Control	531.26	X	X	X	X	<u>X</u>	X	X	X	P
Intensive Services: Printing, Heavy	—	X	X	X	X	<u>X</u>	X	X	X	X

Intensive Services: Industrial Service Establishment	531.26	X	X	X	X	<u>X</u>	X	X	X	P
Intensive Services: Sign Painting Service	531.26	X	X	X	X	<u>X</u>	X	X	X	P
Intensive Services: Taxi-Cab, Limousine Service	531.26	X	X	X	X	<u>X</u>	X	X	X	X
Laboratories, Medical and Dental	—	X	X	X	X	<u>X</u>	X	X	X	P
Lodging Places: Boarding House	531.28	X	X	X	X	<u>X</u>	X	X	P	X
Lodging Places: Boatel	531.28	X	X	X	X	<u>X</u>	X	X	X	X
Lodging Places: Dormitories	531.28	X	X	X	X	<u>X</u>	X	X	P	X
Lodging Places: Hospital Guest House	531.28	X	X	X	X	<u>X</u>	X	X	SP	X
Lodging Places: Hotel/motel	531.28	X	X	X	X	<u>X</u>	X	X	X	SP
Office	531.61	X	P	P	P	<u>P</u>	P	P	P	P
Personal Service Establishment	—	X	X	X	X	<u>X</u>	X	X	X	P
Dry Cleaners: Pick-up	—	X	X	X	X	<u>X</u>	X	X	X	P
Rental Service Establishment	—	X	X	X	X	<u>X</u>	X	X	X	P
Repair Service Establishment	—	X	X	X	X	<u>X</u>	X	X	X	P
Recreational Vehicle Parks and subdivisions	531.42	X	X	X	X	<u>X</u>	X	X	X	SP
Vehicle Repair: Major	531.56	X	X	X	X	<u>X</u>	X	X	X	X
Vehicle Repair: Community Serving	—	X	X	X	X	<u>X</u>	X	X	X	SP
Vehicle Repair: Neighborhood Serving	—	X	X	X	X	<u>X</u>	X	X	X	SP
Veterinary Clinic	531.58	X	P	SP	X	<u>X</u>	X	X	X	P
Wholesale Trade Establishment	—	X	X	X	X	<u>X</u>	X	X	X	X
<b>INDUSTRIAL</b>										
Industrial, Heavy	531.25	X	X	X	X	<u>X</u>	X	X	X	X
Firework/Sparkler Manufacture	531.25	X	X	X	X	<u>X</u>	X	X	X	X
Industrial, Light	531.25	X	X	X	X	<u>X</u>	X	X	X	X
Research and Development Activities	—	X	X	X	X	<u>X</u>	X	X	X	X
<b>COMMUNITY SERVICE USES</b>										
Civic, Social, and Fraternal Organizations/Clubs	531.14	X	P	P/SP	P/SP	<u>P/SP</u>	P/SP	P/SP	P/SP	P
Correctional Facilities: Community	—	X	SP	X	X	<u>X</u>	X	X	X	X
Correctional Facilities: Major	—	X	SP	X	X	<u>X</u>	X	X	X	X



Cultural Facilities	531.15	X	P	P	SP	<u>SP</u>	SP	SP	SP	SP
Emergency Shelters	531.45	X	P/SP	P/SP	P/SP	<u>P/SP</u>	P/SP	P/SP	P/SP	P
Emergency Shelter Home	531.45	X	P	P	P	<u>P</u>	P	P	P	X
Personal Wireless Service Facilities	531.37		See Section 531.37							
Public Community Uses	531.39	X	P	P/SP	P/SP	<u>P/SP</u>	P/SP	P/SP	P/SP	P
Public Use Facilities	531.40	X	P	P	P	<u>P</u>	P	P	P	P
Post Offices	—	X	P	P	P	<u>P</u>	P	P	P	P
Radio, TV, Communications, Microwave Facilities	—	SP	P/SP	SP	SP	<u>SP</u>	SP	SP	SP	X
Rehabilitation Center	531.44	X	SP	SP	SP	<u>SP</u>	SP	SP	SP	SP
Utility Use	531.54	SP	P	P	P	<u>P</u>	P	P	P	P
Alternative Energy Generation Facility	531.54	X	P	X	X	<u>X</u>	X	X	X	X
Utility Use, Heavy	531.54	X	X	X	X	<u>X</u>	X	X	X	X
<b>MISCELLANEOUS USES</b>										
Flea Markets: Enclosed	531.20	X	X	X	X	<u>X</u>	X	X	X	X
Flea Markets: Open	531.20	X	X	X	X	<u>X</u>	X	X	X	X
Intensive Services: Towing Service and Storage Establishment	531.26	X	X	X	X	<u>X</u>	X	X	X	X
Outdoor Advertising Signs	—	X	X	X	X	<u>X</u>	X	X	X	X
Outdoor Storage (Principal Use)	531.36	X	X	X	X	<u>X</u>	X	X	X	X
Parking, Commercial (Principal Use)	—	X	X	X	X	<u>X</u>	X	X	X	X
Sexually Oriented Businesses	531.52		See 531.52							
Water Dependent Uses	531.60	X	X	X	X	<u>X</u>	X	X	X	X
<b>OPEN USE OF LAND - LIGHT</b>										
Cemetery: Human and Pet	531.11	X	SP	SP	SP	<u>SP</u>	SP	SP	SP	P
Earthmoving, Minor	702	X	P	P	P	<u>P</u>	P	P	P	P
Game Preserve	—	P	P	SP	X	<u>X</u>	X	X	X	P
<b>OPEN USE OF LAND - HEAVY</b>										
Earthmoving, Major	702	X	SP	SP	X	<u>X</u>	X	X	X	SP
Junkyards	531.27	X	X	X	X	<u>X</u>	X	X	X	X
Mining	531.30	X	X	X	X	<u>X</u>	X	X	X	X
Solid Waste Management Facilities	531.53	X	SP	X	X	<u>X</u>	X	X	X	X
Landfills	531.53	X	SP	X	X	<u>X</u>	X	X	X	X
<b>RECREATION USES</b>										
Environmental Land Preserves, Public and Private	531.17	P	P	P	P	<u>P</u>	P	P	P	P
Recreation, High Intensity	531.41	X	SP	X	X	<u>X</u>	X	X	X	X
Recreation, Low Intensity	531.41	X	P	P	P	<u>P</u>	P	P	P	P

Recreation, Medium Intensity	531.41	X	SP	X	X	<u>X</u>	X	X	X	X
Recreation, Passive	531.41	P	P	P	P	<u>P</u>	P	P	P	P
Recreation, Rural	531.41	X	SP	SP	X	<u>X</u>	X	X	X	X
<b>RESIDENTIAL USES</b>										
Accessory Dwelling Unit	511.18	X	P	P	P	<u>P</u>	X	X	X	P
Assisted Living Facility, Large <sup>2</sup>	531.45	X	SP	SP	SP	<u>SP</u>	SP	SP	SP	SP
Assisted Living Facility, Small <sup>2</sup>	531.45	X	SP	P	P	<u>P</u>	P	P	P	P
Community Residential Homes	531.45	X	P	P	P	<u>P</u>	P	P	P	P
Group Housing	531.23	X	SP	SP	X	<u>X</u>	X	X	P	SP
Mobile Homes, Individual	531.32	X	P/SP	X	X	<u>X</u>	P	X	X	P/SP
Mobile Home Parks	531.32	X	X	X	X	<u>X</u>	P	X	X	X
Mobile Home Subdivisions	531.32	X	X	X	X	<u>X</u>	P	X	X	X
Nursing Homes <sup>2</sup>	531.35	X	X	X	SP	<u>SP</u>	X	SP	SP	P
Recovery Home, Large	531.45	X	SP	X	X	<u>X</u>	X	X	SP	X
Recovery Home, Small	531.45	X	SP	SP	SP	<u>SP</u>	SP	SP	SP	SP
Residential Treatment Facilities	531.46	X	SP	SP	SP	<u>SP</u>	SP	SP	SP	SP
Residential Use: Duplexes	531.47	X	X	X	X	<u>X</u>	X	P	P	SP
Residential Use: Multiple Family Dwellings	531.47	X	X	X	X	<u>X</u>	X	X	P	SP
Residential Use: Single Family, Attached Dwellings (3 to 9 units)	531.47	X	X	X	X	<u>P</u>	X	X	P	SP
Residential Use: Single Family, Detached Dwellings	531.47	X	P	P	P	<u>P</u>	X	P	P	P
Residential Use: Single Family, Semi-Detached Dwellings	531.47	X	X	X	X	<u>P</u>	X	P	P	SP
Residential Use: Triplex and Quadruplex Dwellings (Multifamily, four (4) units maximum)	531.47	X	X	X	X	<u>X</u>	X	X	P	SP
Residential Use: Waterfront Structures (Residential other than multi-family)	531.47	X	P	P	P	<u>P</u>	P	P	P	P
Residential Use: Waterfront Structures (Multi-Family)	531.47	X	X	X	X	<u>X</u>	X	X	P	P
<b>RESIDENTIAL SUPPORT USES</b>										
Adult Day Care Center	—	X	P	P	P	<u>P</u>	P	P	P	X
Child Care Center, Accessory	511.2	X	P/SP	P/SP	SP	<u>SP</u>	X	P/SP	P/SP	P
Child Care Center, Small	531.12	X	P/SP	P/SP	P/SP	<u>P/SP</u>	X	P/SP	P/SP	P
Child Care Center, Large	531.12	X	P/SP	P/SP	X	<u>X</u>	X	X	P/SP	P/SP

Churches/Places of Worship	531.13	X	P/SP	P/SP	P/SP	<u>P/SP</u>	P/SP	P/SP	P/SP	P
Environmental Education Facilities	—	P	P	P	P	<u>P</u>	X	P	X	P
Family Day Care Home	—	X	P	P	P	<u>P</u>	P	P	P	P
Schools, College/Universities	531.50	X	X	X	X	<u>X</u>	X	X	X	X
Schools, Elementary	531.50	X	P	P	P	<u>P</u>	P	P	P	P
Schools, High and Middle	531.50	X	SP	SP	SP	<u>SP</u>	SP	SP	SP	SP
Schools of Special Education	531.50	X	P	P	P	<u>P</u>	P	P	P	SP
Schools, Public	531.50	X	P	P	P	<u>P</u>	P	P	P	P
<b>TRANSPORTATION USES</b>										
Aircraft Landing Field	531.2	X	P	X	X	<u>X</u>	X	X	X	X
Airport, Commercial	531.3	X	X	X	X	<u>X</u>	X	X	X	X
Airport, Private or Public	531.3	X	SP	X	X	<u>X</u>	X	X	X	X
Bus and Train Passenger Station	—	X	P	P	X	<u>X</u>	X	X	P	P
Hazardous Waste Transfer Facility	—	X	X	X	X	<u>X</u>	X	X	X	X
Heliport	531.24	X	X	X	X	<u>X</u>	X	X	X	X
Helistop	531.24	X	SP	X	X	<u>X</u>	X	X	X	SP
Intensive Services: Motor Pool Facilities	531.26	X	X	X	X	<u>X</u>	X	X	X	X
Intermodal Terminal	—	X	X	X	X	<u>X</u>	X	X	X	X
Motor Freight Terminal/Maintenance	531.34	X	X	X	X	<u>X</u>	X	X	X	X
Bus RR/Maintenance Facility		X	SP	X	X	<u>X</u>	X	X	X	SP
Railroad Switching/Classification Yard	—	X	X	X	X	<u>X</u>	X	X	X	X
<b>WAREHOUSING</b>										
Mini Warehouses, Self-storage	531.31	X	X	X	X	<u>X</u>	X	X	X	SP
Warehouses	531.59	X	X	X	X	<u>X</u>	X	X	X	X

P = Permitted (see Section 315); SP = Special Permit (see Section 316); P/SP = Special Permit required as specified in Chapter 5 or elsewhere in this Code; X = Not Permitted.

<sup>1</sup> The code on the left applies to lands outside the Urban Corridors; the code on the right applies to lands within an Urban Corridor and subject to meeting the requirements of Section 902, e.g., X/P means the use is not permitted on lands outside an urban corridor, but is permitted on lands within an urban corridor.

<sup>2</sup> Acute medical facilities are not allowed within the Coastal Evacuation Area, as defined in this Code and the Comprehensive Plan.

<sup>3</sup> FSEDs are required to be located within the Retail/Office/Residential (ROR) or the Mixed Use (MU) Future Land Use Categories.

**TABLE NOTES:**

- Uses may be further restricted or modified by the overlay district regulations and the Commercial Locational Criteria contained in the Future Land Use Element of the Comprehensive Plan.
- Waterfront structures shall meet the use and dimensional standards contained in Section 402.14, PDW—Planned Development Waterfront, but may not necessarily require a rezone to PD.

**Table 4-5 Schedule of Bulk and Dimensional Standards for Agricultural and Single Family Districts  
(Non-Residential Standards Intentionally Omitted – those of the RSF Districts will apply)**

**Single Family Detached**

	<u>RSF-Flex</u>
<b>DENSITY/INTENSITY</b>	
<b>Max. Res. Density<sup>2</sup></b>	<u>Per FLU</u>
<b>Min. Open Space (%)</b>	<u>25</u>
<b>LOT STANDARDS</b>	
<b>Min. Lot Area (sq. ft.)</b>	<u>3,000</u>
<b>Min. Lot Width (ft.)<sup>4</sup></b>	<u>30</u>
<b>MINIMUM SETBACKS</b>	
<b>Front</b>	<u>15/23</u>
<b>Side</b>	<u>5</u>
<b>Rear</b>	<u>10</u>

**Single Family Semi-Detached**

	<u>RSF-Flex</u>
<b>DENSITY/INTENSITY</b>	
<b>Max. Res. Density<sup>2</sup></b>	<u>Per FLU</u>
<b>Min. Open Space (%)</b>	<u>25</u>
<b>LOT STANDARDS</b>	
<b>Min. Lot Area (sq. ft.)</b>	<u>4,000</u>
<b>Min. Lot Width (ft.)<sup>4</sup></b>	<u>40</u>
<b>MINIMUM SETBACKS</b>	
<b>Front</b>	<u>15/23</u>
<b>Side</b>	<u>5</u>
<b>Rear</b>	<u>10</u>

Side Setback is for the non-attached side

**Single Family Attached**

	<u>RSF-Flex</u>
<b>DENSITY/INTENSITY</b>	
<b>Max. Res. Density<sup>2</sup></b>	<u>Per FLU</u>
<b>Min. Open Space (%)</b>	<u>25</u>
<b>LOT STANDARDS</b>	
<b>Min. Lot Area (sq. ft.)</b>	<u>3,000</u>
<b>Min. Lot Width (ft.)<sup>4</sup></b>	<u>30</u>
<b>MINIMUM SETBACKS</b>	
<b>Front</b>	<u>15/23</u>
<b>Side</b>	<u>5</u>
<b>Rear</b>	<u>10</u>

**402.6. General Design Requirements for all Planned Development Site Plans.**

In addition to the specific requirements stated in the following sections for each PD district, planned developments shall meet the following standards. Compliance must be demonstrated at the first site plan submittal.

- A. **Physical Characteristics of the Site; Relation to Surrounding Property.** The tract shall be suitable, or it shall be possible to make the tract suitable, for development in a manner proposed without hazard to persons or property, on or off the tract, without risk of erosion, subsidence, flood hazard, destruction of wetlands or other dangers. Conditions of soil, ground water level, drainage and topography shall all be appropriate to both type and pattern of the proposed use.
- B. **Relation to Public Utilities, Facilities and Services.** Planned development districts shall be located in relation to transportation systems, sanitary sewers, emergency services, schools, public safety, water lines, storm and surface drainage systems and other utilities systems and installations to ensure that services can reasonably be expected to be available at the time of request for Certificate of Level of Service.
- C. **Relation to Major Transportation Facilities.** Planned development districts, where appropriate because of the size or intensity of proposed districts, shall be so located with respect to expressways, arterial and collector streets or mass transit facilities, and shall be so designed, as to provide access to and from such districts without creating excessive traffic along minor streets in residential neighborhoods outside the district.
- D. **Compatibility.** Planned development districts shall be located and designed so as to minimize the negative effects of external impacts resulting from factors such as traffic, noise or lights. Project control shall be accomplished through such techniques as buffering, architectural design, site design, height limitations, and density or intensity limitations.

- E. **Transitions.** Planned development districts shall be responsive to the character of the area. ~~When located in an area where land use types and/or intensities or densities vary, Planned Development districts shall be designed in such a manner as to provide for gradual changes in intensity and/or density.~~
- F. **Design Quality.** All site plans in Planned Development districts shall be designed in such manner to address all of the standards set forth in this section ~~and shall generally be superior in design to conventional development site plans,~~ and consistent with all other factors in this section. All Planned Developments proposing specific approval of requirements for development under standard zoning district regulations shall be designed so as to be sensitive to the impacts of the specific approval requested.
- G. **Relationship to Adjacent Property.** Projects in Planned Development districts shall include ~~additional~~ screening, buffering, transitional uses or other design features as necessary to adequately protect existing or probable uses of surrounding property; and shall provide functional and logical linkages to activity centers and circulation facilities on such adjacent property.
- H. **Access.** Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Merging and turnout lanes, or traffic dividers and extra width of the approach street shall be required where existing or anticipated traffic flows indicate need. The location of specific access points shall not be required at the General Development Plan stage ~~in the PDEZ District.~~
- ~~Vehicular access to streets or portions of streets from off-street parking and service areas shall be so combined, limited, located, designed and controlled as to channel traffic from and to such areas conveniently, safely, and in a manner which minimizes traffic friction, and excessive interruptions.~~
- ~~Pedestrian access shall, where practical, be separated from vehicular access points in order to reduce congestion, friction and hazards, except where signalization is used in such a manner as to control pedestrian and vehicular movement safety.~~
- I. **Streets, Drives, Parking and Service Areas.** Streets, drives, parking and service areas shall provide safe and convenient access to all buildings and general facilities. Commercial and office uses shall be grouped in relation to parking areas so that after visitors arrive by automobile, establishments can be visited with a minimum of internal automotive movements. Facilities and access routes for deliveries, servicing and maintenance shall be located and arranged to prevent interference with pedestrian traffic. Loading zones where customers pick up goods shall be located and arranged so as to prevent interference with pedestrian movement, fire lanes, and other vehicular travel ways.
- ~~For all rights-of-way and private streets in planned developments, the following minimum design considerations shall be adequately addressed:~~
- ~~1. — Safe vehicular travel;~~
  - ~~2. — The manner in which pedestrians can traverse in the planned development;~~
  - ~~3. — Structural stability of all construction materials;~~
  - ~~4. — Utility distribution, power, sewer, cable, potable water and fire protection routing, location, and sizing;~~
  - ~~5. — Horizontal and vertical sight distances;~~
  - ~~6. — Traffic safety requirements;~~
  - ~~7. — Emergency vehicle maneuverability and access;~~
  - ~~8. — Logical future extension of inter-neighborhood ties.~~
- J. **Pedestrian Systems.** Development in all Planned Development districts shall provide internal or external walkways where pedestrian circulation requires them.

~~The site plan shall provide for safe, efficient, convenient and harmonious groupings of structures, uses, facilities and open spaces in a manner facilitating pedestrian movement between major origins and destinations, within and adjacent to the district, with a minimum of conflicts with vehicular traffic.~~

~~Pedestrian systems through buildings shall be related to a network of exterior open spaces reserved for pedestrian use and enjoyment. Interior and exterior pedestrian ways shall be scaled for anticipated traffic and form a convenient pattern connecting major concentrations of uses within the district, and shall connect to principal access points within and outside the district.~~

~~Access for pedestrians and cyclists entering or leaving the district shall be by safe and convenient routes. Where there are crossings of pedestrian ways and vehicular routes at edges of Planned Developments, such crossings shall be safely located, marked and controlled, and where such ways are exposed to substantial vehicular traffic at edges of districts, safeguards shall be required to prevent crossings, except at designated points. Bicycle or pedestrian paths, if provided, shall be so related to the vehicular system that street crossings are combined.~~

- K. **Natural and Historic Features, Conservation and Preservation Areas.** Development in Planned Development districts shall be designed to preserve the natural features of the land, such as existing trees and natural topography, and archaeological and historic resources, as much as possible.
- L. **Density/Intensity.** Density and/or intensity shall not exceed maximums established in the Comprehensive Plan. Planned development district densities/intensities shall be established after consideration of the Comprehensive Plan criteria and limits, neighborhood compatibility, transitions, and site design.
- M. **Height.** Height in a specific Planned Development district shall be determined after review of the nature of surrounding land uses to ensure that the proposed development will not create any external impacts that would adversely affect surrounding development, existing or proposed.
- N. **Fences and Screening.** Fences or vegetative screening at periphery of Planned Development district may shall be provided to protect occupants from undesirable views, lighting, noise or other off-site influence, or to protect occupants of adjoining districts from similar adverse influences. ~~When adjacent development is of either similar use or intensity, such screening may be reduced at the discretion of the Department Director.~~
- O. **Yards and Setbacks.** Yard and setback requirements shall be consistent in each Planned Development district to promote general health, safety, welfare, design excellence and neighborhood compatibility. Notwithstanding other required wetland and jurisdictional buffer requirements, all setbacks within a Planned Development subphase shall maintain consistency with the approved General Development Plan or preliminary site plan throughout the development. All proposed setbacks shall be shown on the General Development Plan or preliminary site plan in either graphic or tabular form.
- ~~P. **Trash and Utility Plant Screens.** In the Planned Development district all central refuse, trash and garbage collection containers shall be screened from sight or located in such a manner so as not to be visible from any public area within or adjacent to the Planned Development district.~~
- ~~Q. **Signs.** Signs in the Planned Development district shall be in accordance with Chapter 6.~~
- ~~R. **Landscaping.** Landscaping shall be equal to or exceed the standards stipulated pursuant to Section 701, Landscaping and Screening Standards.~~
- ~~S. **Special Guidelines for Review of Projects with Mixed Use Plan Designations and Projects at Designated Entranceways.** The Comprehensive Plan establishes interstate interchanges as critical gateways to Manatee County. In these areas, additional scrutiny shall be given to the potential visual impacts of the proposed projects, pursuant to Section 900.~~
- T. **Environmental Factors.**
  - 1. **Water Conservation.** Creative site development concepts shall be considered ~~used in order~~ to promote water conservation. ~~Water requirements may be reduced by providing for:~~
    - a. ~~The preservation of existing plant communities;~~

- ~~b. The reestablishment of native plant communities;~~
- ~~c. Limited amount of lawn grass areas;~~
- ~~d. The use of site specific plant materials;~~
- ~~e. The use of shade trees to reduce transpiration rates of lower story plant materials;~~
- ~~f. Site development that retains stormwater runoff on site;~~
- ~~g. The use of pervious paving materials;~~
- ~~h. Site development that addresses the carrying capacity of the land in its present form; and~~
- ~~i. Other environmentally sensitive site development concepts.~~

2. *Minimum Open Space Requirements.* Minimum open space requirements shall be established based upon a site-specific evaluation of the project and surrounding land uses.

3. *Preservation of Existing Plant Communities.*

- a. Existing native plant communities on sites proposed for development should be preserved and incorporated into the required open space wherever possible. ~~Existing native plant communities that are specified to remain shall be preserved in their entirety, with all desirable trees, understory, and ground covers left intact and undisturbed. In most cases, preservation of existing native plant communities will decrease the initial costs of site development, decrease future water and maintenance requirements and enhance the aesthetic appearance of the property.~~
- ~~b. When existing native plant communities occur on a parcel of land and are located within planned open spaces, thirty-five (35) percent of the required open space or seventy-five (75) percent of the existing native plant communities, whichever is less, shall be in the form of preserved native plant communities.~~

~~U. **Rights of Way and Utility Standards.** All improvements shall adhere to the requirements of the County's administrative procedures for all public and private rights-of-way construction.~~

~~V. **Stormwater Management.** Stormwater management facilities shall adhere to the requirements of Section 801, Stormwater Management, and the County's administrative procedures.~~

W. **Consistency with Comprehensive Plan.** No Planned Development shall be approved if it is inconsistent with the Comprehensive Plan.

~~X. **Other Factors.** Other factors shall be applied which:~~

- ~~1. Address views from interstates and major connectors;~~
- ~~2. Generally require greater open space than permitted in standard districts;~~
- ~~3. Prohibit visible exterior storage;~~
- ~~4. Prohibit parking and loading areas adjacent to interstate and connectors;~~
- ~~5. Provide quality construction material and superior design;~~
- ~~6. Maximize use of buffers and berms; and~~
- ~~7. Otherwise encourage the establishment of high quality projects at these critical locations.~~



## 402.7. PDR—Planned Development Residential.

- A. **Intent.** It is the intent of these regulations to provide for development of residential development in areas adequately served, or which can be served, by necessary utilities and services, in locations that are compatible with adjacent and surrounding land uses in accord with the goals, objectives, and policies of the Comprehensive Plan and in compliance with the standards set forth herein.

It is further the intent to permit the establishment of such districts only where planned development with carefully located buildings, parking and service areas, and landscaped open space will provide for internal convenience and ease of use as well as external compatibility. It is further intended that PDR districts may provide a broad range of housing types appropriate to the general need of the area served.

Uses in PDR districts shall be consistent with Comprehensive Plan requirements regarding use, type, locational criteria and other applicable Comprehensive Plan criteria.

- B. **Permitted Uses.** Table 4-12 lists the allowable uses.

- C. **Density.** PDR districts shall be consistent with the Comprehensive Plan density requirements.

Projects sponsored by community based non-profit organizations shall be eligible to receive density in excess of the maximum established in the Comprehensive Plan. The adopted Manatee County Housing Program (Section 545) has established the maximum degree to which the plan density may be exceeded. Individual limits shall be established with each development approval.

- D. **PDR Standards.**

1. *Site Planning.* Site planning within the district shall provide protection of the development from potentially adverse surrounding influences. The orientation of the development shall generally be toward internal streets and pedestrian systems and away from adjacent local streets and other adjacent land uses. In particular a buffer of a minimum of twenty (20) feet wide shall be provided along district boundaries which abut and run parallel to any public road in the PDR District.
2. *Landscaped Open Space and Pervious Area Requirements.* For projects outside the watershed overlay districts, an area equal to at least twenty-five (25) percent of the land area of the district shall be reserved for landscaping and permeable open areas, for projects developed under common ownership, and shall be improved and maintained by the developer/homeowner's association. For projects within the watershed overlay districts, the percentage of open space shall increase to thirty-five (35) percent for new residential projects. Single family residential subdivision projects shall have an area equal to at least twenty-five (25) percent of the land area of the district for landscaping and open areas, and may utilize the area of water bodies contained entirely within the site, not to exceed seventy-five (75) percent of the total open space requirement, or a portion of the total open space proposed for the site, with all such open space improved and maintained by the developer/homeowner's association. (See the definition of Open Space.)
3. *Frontage and Accessibility.* Every dwelling unit or other use permitted in the Planned Development shall have vehicular access to a public street either directly or via an approved private street, pedestrian way, court, or other area dedicated to public use or private use, or common element guaranteeing access. Permitted uses are not required to front on a publicly dedicated road. Adequate emergency vehicular access is required to every dwelling unit.
4. ~~*Neighborhoods.* All Planned Residential Developments shall be designed in such a manner as to promote neighborhoods. This shall be done by creating a neighborhood focal point within the development such as water bodies, recreation areas or community centers. Other methods of achieving neighborhood unity include: use of natural features, unified theme, use of greenbelts and pedestrian/bikeway corridors.~~

5. ~~Greenbelts. In order to promote and enhance the creation of unique neighborhood units, each distinct neighborhood shall be bordered by a continuous greenbelt buffer measuring fifteen (15) feet in width and containing one (1) shade tree, meeting minimum planting size standards in Section 715, planted every thirty (30) feet on center. Greenbelts are to be so planned that where two (2) PDR districts abut one another, the greenbelt buffer areas are contiguous. Streets and utilities providing inter-neighborhood ties may be permitted to pass through greenbelt buffer areas.  
  
In PDR Districts consisting entirely of fifteen (15) or less single family lots, greenbelt width may be reduced to ten (10) feet.~~
6. *Traffic Circulation.* Provide for inter-neighborhood ties; however, the neighborhood focal points shall not be located, when possible, along collector/connector roads.
7. *Yards and Setbacks.* For each PDR District yard and setback requirements shall be established which promote general health, safety, welfare, design excellence and neighborhood compatibility. Yard and setback standards shall be consistent within each Planned Development district or "phase." Each new planned development project may propose specific setbacks for that project. Unless otherwise specified within the development approvals, the following minimum required yards shall apply to all previously approved projects:  
  
Minimum front yard of twenty (20) feet, except that all front loaded garages and carports shall have minimum setbacks of twenty-five (25) feet.  
  
Minimum side yard of eight (8) feet.  
  
Minimum rear yard of fifteen (15) feet.  
  
If no minimum setbacks are established for the project at the rezoning and/or site plan approval (e.g. General Development Plan or Preliminary Site Plan) stage, the required setbacks shall be:  
  
Minimum front yard—twenty-five (25) feet.  
  
Minimum side yard—eight (8) feet.  
  
Minimum rear yard—fifteen (15) feet.
8. *Minimum Lot Width.* If no minimum lot width is established at the rezoning and/or site plan approval (e.g. General Development Plan or Preliminary Site Plan) stage, then the minimum lot width shall be sixty (60) feet for single-family residences.
9. *Building Height.* Building heights above three (3) stories may be approved by the Board and, if approved, shall comply with the requirements of Section 401.5.A if the development is adjacent or directly across the street from a single family residential zoning district and Section 401.5.B.1 through 5 if adjacent to other uses. Telecommunication towers shall not exceed a maximum height of one hundred fifty (150) feet.

### 700.3. Procedure.

- A. **Submission of Application.** A person desiring a tree removal permit shall submit a written application to the Department Director. The application shall include the following information:
  1. *Site Plan.* An overall site plan including the approximate shape and dimensions of the lot or parcel of land, together with existing and proposed driveways, structures and improvements.
  2. *Required Generalized Tree Inventory.* Each application for a tree removal permit shall be accompanied by a generalized tree and vegetation inventory showing the approximate location and extent of vegetation and trees upon the site shall be provided no later than preliminary or final site plan (when a

preliminary is not required). The inventory shall be based upon the most current available information. For non-residential and multi-family development, the inventory may be in the form of an aerial or a field survey, and shall be accompanied by photographs illustrating typical areas of trees. The generalized tree and vegetation inventory shall be prepared at the same scale as the site development plans or in some other manner which clearly illustrates the relationships between the areas of trees and the proposed site improvements. This inventory shall also include specifications regarding both the common and botanical names of all protected species.

3. *Location of Trees to be Removed.* The location of all trees which are proposed to be removed, replaced, or relocated including the limits of clearing. Subject to the Department Director's approval, the limits of clearing shall generally include:
    - a. *Streets.* Street Construction and necessary slope construction.
    - b. *Easements.* Public service or utility easements and rights-of-way. This shall include area of utility line installation with any construction easements necessary for such installation and easements for maintenance access. These easements shall not be cleared prior to actual line installation.
    - c. *Building Area.* Building roof coverage and ancillary structure such as patios and porches plus twenty-five (25) feet on all sides for construction activity.
    - d. *Circulation, Recreation Areas.* Driveways, walkways, parking lots, and other land area necessary to the installation of the proposed development or use. Other necessary land area may include area for gardens, tennis courts, swimming pools, and lawn areas and other related structures or uses.
    - e. *Septic Fields.* Area for septic fields as required by the Florida Department of Health in Manatee County.
    - f. *Sediment Basins.* Only those trees within the area necessary for construction of the sediment basin, the area in which sediment will collect, and the area necessary for construction and maintenance of the basin shall be cleared of trees. Configuration of the basin shall utilize natural terrain as much as possible to minimize tree removal.
    - g. *Detention and Retention Basin.* Only those trees within the area necessary for construction of the detention pond and the area necessary for construction and maintenance of the pond shall utilize natural terrain as much as possible to minimize tree removal.
    - h. *Visibility Triangle.* See Section 1002.
  4. *Protective Measures.* A statement explaining how any trees proposed for relocation and replanting as part of a development will be protected during the construction of the development. A plan detail indicating the location of protective barriers around trees to be protected shall also be provided.
- B. **Separate Tree Removal Permit Required.** When tree removal is occasioned by any proposed development that requires a site plan, preliminary subdivision plat, or final subdivision plat, the approved plan or plat shall constitute a tree removal permit. In all other cases, the application for a tree removal permit shall be on a form provided by the Department Director.
- C. **Review of Application.** Upon receipt of the complete permit application, the Department Director shall review the application and visit the site of the proposed development. Within a reasonable period of time, the Department Director shall either approve or deny the application, and shall furnish the applicant a written statement of the reasons for any denial. Where tree removal is considered in conjunction with site plan or subdivision plat review, the Department Director shall forward a copy of the written statement to the appropriate decision-making body with the application for subdivision or conditional use approval and any other relevant materials.

- D. **Tree Replacement Funds.** Any payments collected under Section 700.3.I shall be deposited into the Tree Protection Trust Fund and are expressly designated for the replacement of trees or those incidental materials, i.e. mulch, irrigation mechanisms, required for those items to be planted. These funds shall not however be used for the support of existing trees. The application shall be accompanied by a tree removal permit fee in an amount to be prescribed by the Board.
- E. **Trust Fund.** There is hereby created a Tree Protection Trust Fund for the purpose of insuring that the funds collected pursuant to this Section are utilized as provided in Section 700.3.D, Tree Replacement Funds.
- F. **Expenditure.** Any funds not expended or encumbered for planning, acquisition or planting by the end of the calendar quarter immediately following seven (7) years from the date of payment, shall be returned to the fee payer with interest at the passbook savings rate.
- G. **Extension.** The Board may by resolution, extend the date by which funds must be refunded by up to three (3) years. Such an extension shall be made upon a finding that within three (3) years, the planned replacement activities will be completed.
- H. **Standards.** The Department Director shall not approve a tree removal permit application unless the plan will destroy no more existing trees than is reasonably necessary to achieve the proposed development. The Department Director shall consider in this regard:
1. *Necessity.* The extent to which the actual or intended use of the property is in accordance with the regulations of the zoning district in which the property is located and requires the destruction of trees.
  2. *Outstanding Quality of Tree or Plant Communities.* The desirability of preserving a tree or plant community by reason of its size, age, or some other outstanding quality, such as uniqueness, habitat importance, rarity or status as a landmark or species specimen.
  3. *Environmental Effects.* The extent to which the area would be subject to increased water runoff and other environmental degradation due to the removal of the trees.
  4. *Development Density.* The desirability of preserving tree cover and associated vegetation in densely developed areas.
  5. *Grade Changes.* The effect that changes in the natural grade will have on the remaining trees and vegetation.
  6. *Signage.* The visibility of an existing or proposed sign shall not serve as a reason for approval of a tree removal permit.
- I. **Tree Replacement Alternatives.** The Department Director shall condition a tree removal permit for all projects upon the replacement of the removed trees at a one-to-one ratio, to the extent such replacement can be reasonably accomplished on site or pursuant to the methods described in this section. ~~Cash payment to Manatee County may be made in lieu of replacement.~~ The Department Director may accept a reduced replacement ratio where one-to-one replacement cannot be reasonably accomplished on site or pursuant to the methods described in this section ~~combination of either of the above methods for compliance with this Section.~~
1. ~~The Department Director shall also have the option of considering replacement of the trees on adjacent sites, if there is no reasonable replacement alternative on-site and the adjacent site is of sufficient size to support the placement of such trees. If such an alternative is chosen, the applicant must provide a landscaping plan for the replacement trees as well as a written maintenance agreement for the trees. All trees planted off-site shall be at least Florida Quality No. 1 nursery stock. If the adjacent site is single owner occupied, then it shall be the responsibility of that owner to maintain all of the replacement trees in perpetuity and replace any trees that succumb to disease or death. If the adjacent site is the property of a homeowner's association or other group ownership, the association or group shall maintain all replacement trees in perpetuity and replace any trees that succumb to disease or death.~~

2. In recognition of overall tree canopy, an alternative method of tree mitigation may be considered by the Department Director, if it is demonstrated that the lost canopy will be replaced within ten (10) years. This alternative shall require a greater quantity of replacement trees while allowing smaller replacement sizes.
3. The Department Director shall reserve the right to increase the size of the replacement tree under unusual circumstances, such as age of tree, type of tree, rarity and historical significance, or the removal of a tree without a permit.
4. When trees are to be replaced on individual residential or nonresidential lots within a subdivision, the Department Director may condition the approval of any preliminary plat to allow for replacement at the time of construction on each lot. The placement of trees on an individual lot shall be a prerequisite for an occupancy permit. Notice of replacement trees on each lot must be placed within the homeowner's documents or association documents approved with each final plat. Within this notice the developer shall state that the replacement trees may not be removed unless diseased or dead, in which case, they must be replaced with the same size and type of tree as originally planted on the lot.
5. Approval of replacement trees to meet the Residential Street Tree requirements of Section 701.6 shall be dependent upon the site design, lot size, existing trees and building envelopes to determine whether the trees will have sufficient room to thrive. The majority of replacement trees within such projects shall be located within common areas within the project such as greenbelts, roadway buffers and screening buffers. The Department Director shall have the authority to approve an alternative replacement method.
6. ~~Cash in lieu payments shall not be required for applications received after [insert date]. When cash in lieu payments are made, the amount of cash payments will be in the manner established by the Board and shall include all material and labor costs, as well as those costs associated with the administration of this program. Payment for Tree Replacement shall be paid prior to the issuance of any Building Permits for the project.~~ Utilization of the existing cash-in-lieu funds shall be determined by the Board for amounts greater than five thousand dollars (\$5,000.00) or the Department Director for amounts of less than five thousand dollars (\$5,000.00). The funds shall be used for landscaping in affordable housing projects (meeting the criteria of Section 545), county park projects, street and entranceway beautification programs, and other public projects.
7. When trees are removed with an approved tree removal permit, such trees shall be replaced as follows:

Existing Tree Size	Required Replacement Caliper Minimum	Ratio of Replacement Trees to Removed Trees
4"–15" D.B.H.	3"	1:1
16"–30" D.B.H.	4"	2:1
Over 30" D.B.H.	4"	3:1

8. All replacement trees shall be at least Florida Quality No. 1 nursery stock.
9. In order to help preserve significant trees (twenty-six (26) inches dbh or greater), an applicant may be given credit towards fulfilling the tree portion of screening, buffering and parking lot landscaping requirements. All such trees shall be in good health. Those trees between twenty-six (26) and thirty-five (35) inches dbh, shall equal three (3) required trees; over thirty-six (36) inches dbh shall equal five (5) required trees. A condition of use of this incentive is total protection of the tree during construction. Should the tree die as a result of construction practices or post-construction stress, as determined by the Department Director, the replacement trees shall be planted or assurances are made for future planting at the appropriate time, within thirty (30) days of the determination of the death of the tree.

- J. **Identification of Preserved Trees.** Upon approval of a tree removal permit, the location and species or common name of individual trees to be preserved, shall be entered upon the Final Site Plan, Final Development Plan or Preliminary Subdivision Plat. The applicant shall also identify and conspicuously mark any such tree or plant groups to be preserved.
- K. **Protection During Development.** During any land development activity, protective measures shall be taken throughout the entire construction stage to prevent the destruction or damage of all trees to be retained on the site. Specific protective measures shall be outlined by the applicant in writing and to accompany the permit application.
- L. **Time Period of Permits.** Tree removal permits shall continue in force for the same period of time as the development order approval, and shall be subject to the same extension privileges.
- M. **Building Permits.** Building Permits do not authorize the removal of trees unless specifically approved as such by the Department Director. When a tree removal permit is required, a Building Permit shall not be issued until a tree removal permit is issued, or prior tree removal approval has been granted as part of a development order.
- N. **Violations.** In addition to any penalties which may be imposed by Chapter 1, any tree removed, relocated, or damaged in violation of this Section shall be replaced with trees of comparable characteristics. Each removal of a tree shall be deemed a separate offense. The Department Director shall determine the location and number of such replacement trees which will immediately achieve a shade area comparable to that which existed prior to the violation. No Certificate of Occupancy shall be issued until complete replacement occurs. In no instance shall replacement trees be smaller than the minimum requirements set out in Section 700.3.I.7, nor shall the replacement of such trees exempt the violator from the provisions of Section 106: Enforcement, Violations and Penalties.

### *701.3. Minimum Required Landscaping.*

- A. **Vehicle Use Areas.**
  1. A vehicle use area is any portion of a development site used for circulation, parking and/or display of motorized vehicles, except junk or automobile salvage yards.
  2. All vehicle use areas containing more than ~~two~~ thousand (21,000) square feet shall be landscaped in accord with Figure 7-1, which requires three hundred and sixty (360) square feet of planting area, including four (4) canopy trees and twenty (20) shrubs per twenty (20) parking spaces. If one (1) gallon shrubs are used within the landscape islands, forty (40) shrubs shall be required. Tree and shrub sizes shall be in accordance with Section 701.4.B.
  3. For vehicle use areas serving large vehicles requiring additional maneuvering room, such as truck stops, and motor freight terminals, up to fifty (50) percent of required vehicle use area landscaping may be transferred and added to the perimeter buffer or roadway buffer.
  4. No more than ten (10) consecutive parking spaces shall be allowed without an interior landscape island, except that the Department Director may approve an alternative design which allows for up to a maximum of fifteen (15) consecutive parking spaces where the overall design of the vehicle use area landscaping is consistent with the purposes of this section.
  5. The front of a vehicle may encroach upon any interior landscaped area or walkway when said area is at least eight (8) feet in depth, not including curbing, per abutting parking space and protected by curbing. No tree or shrub of more than two (2) feet in height shall be located within two (2) feet of the edge of the landscape area.

6. If a Sign View Area is shown on the landscape plan, the developer will have the choice of either replacing the canopy trees with understory trees within the View Area or moving the trees to another location within the site. A Sign View Area shall be defined as those areas to be left within the sight lines of either free-standing or wall signs by the travelling public on adjacent streets. No more than thirty (30) percent of required trees may be switched to understory trees as a result of this provision. Understory trees must be provided at a ratio of 1.5 to 1 if used to replace canopy trees.
7. Where vehicle use areas abut the roadway, the roadway buffer may serve as the perimeter parking lot buffer. However, where the vehicle use area does not abut a roadway, the perimeter landscaping requirements shall be a minimum width of eight (8) feet containing one (1) canopy tree meeting the minimum requirements of Section 701.8.B per forty (40) feet or substantial fraction thereof, and either shrubs, hedges, berming or fences or any combination thereof, to reach a height of forty-two (42) inches, two (2) years after installation, and being eighty (80) percent opaque.

#### *701.4. Buffer Zones.*

##### **A. Purpose.**

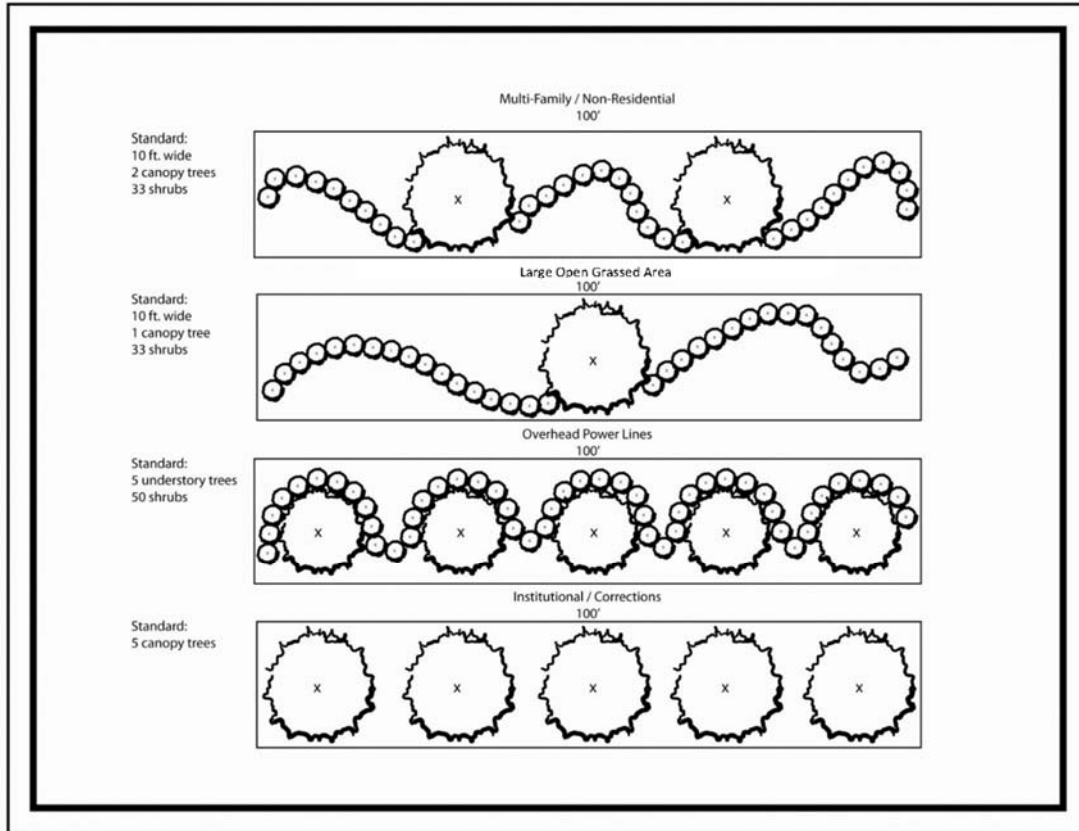
1. Buffer Zones are landscaped strips along parcel boundaries.
2. Buffer Zones serve to separate incompatible uses and/or create attractive boundaries.
  - Widths and degrees of vegetation depend on relationship between uses.
  - Standards are per one hundred (100) linear feet.
  - Plant materials are to be spread relatively evenly throughout the buffer.
  - See Figure 7-3 for required amounts of landscaping.
  - See Figure 7-3 for landscaping alternatives.

##### **B. Buffer Standards**

1. *Industrial Adjacent to Residential.* Buffer zones for proposed industrial uses adjacent to residential uses/zoning shall use buffer option E, unless otherwise approved with Planned Development Specific Approval.
2. *Roadway Buffers.* Required for multi-family and non-residential projects along all roadways. Required for single-family projects abutting thoroughfares only. See Section 902.7.C (Exterior Buffer Zones) for developments along urban corridors.
  - i. Reverse frontage lots shall be provided adjacent to major thoroughfares. A twenty (20) foot wide buffer shall be provided along rear property lines abutting right-of-way. Additional lot depth of twenty (20) feet shall be provided to accommodate such buffer when adjacent to collectors, arterials or other thoroughfares.
    - (a) See Figure 7-2 for requirements.
    - (b) If fences are used, required landscaping shall be located on the exterior, facing the roadway, or adjacent property.
    - (c) For hedges within roadway buffers, the shrubs shall reach a height of three (3) feet within two (2) years.

- (d) For roadway buffers that contain overhead power lines, the requirement for canopy trees may be reduced to allow understory trees as shown in Figure 7-2.

Figure 7-2: Roadway Buffer Options per 100 Feet



3. *Screening Buffers.*

- i. Screening buffers are required between zoning district boundaries.
- ii. The width of the buffer shall be as defined in the Buffer Matrix, Figure 7-4.

The perimeter buffer for a site zoned LM, HM or MP-I shall be a minimum of twenty (20) feet if adjacent to a non-residential district, and thirty (30) feet if adjacent to a residential zoning district.

- iii. Decorative, opaque fences shall be considered:

- Concrete Aggregate;
- Stucco;
- Finish (either colored or painted);
- Brick;
- Stone;
- Glass Block; or



- Wood.

No chain link shall be allowed. (The exception is chain link with slats shall be allowed for the gates of dumpster enclosures.)

- iv. Concrete masonry shall be allowed only if split face design.
- v. Structurally safe, durable and attractive.
- vi. A minimum of six (6) feet in height.
- vii. For hedges used within screening buffer zones, the plant materials used shall reach a minimum height of six (6) feet within three (3) years of planting.

#### ~~4. Residential Greenbelts.~~

~~i. For all residential projects, a fifteen (15) foot wide perimeter greenbelt buffer shall be required. Streets and utilities providing interneighborhood ties may be permitted to pass through greenbelt buffer areas. Should such greenbelts be located adjacent to single family lots, such lots may not be platted through the greenbelt. In projects consisting entirely of fifteen (15) or less single family lots, greenbelt buffers shall be reduced in width to ten (10) feet.~~

##### ~~Exemptions:~~

- ~~• For new residential subdivisions located in the A or A-1 zoning districts, no greenbelt shall be required, unless designed as a cluster development per Sections 800.11 and 800.12.~~
- ~~• For lot splits inside or out of a subdivision, resulting in the creation of one additional lot, no greenbelt shall be required.~~
- ~~• For replatting of existing lots if the total number of lots either remains the same or is reduced, no greenbelt shall be required.~~

~~ii. The greenbelt buffer shall be planted with a minimum of one (1) canopy tree planted every thirty (30) feet on center for the length of the perimeter of the project.~~

~~iii. For new residential projects abutting non-recreational, non-residential uses, the greenbelt buffer shall also meet the screening buffer requirements that may include either a hedge, fence or wall.~~

~~iv. All landscaping shall be installed prior to final plat approval, unless performance security is posted guaranteeing the landscaping will be installed prior to the first Certificate of Occupancy.~~

~~v. Irrigation shall be provided as required pursuant to this Code and installed prior to issuance of the first Certificate of Occupancy of the project.~~

Figure 7-3: Screening Buffer Options per 100 Feet

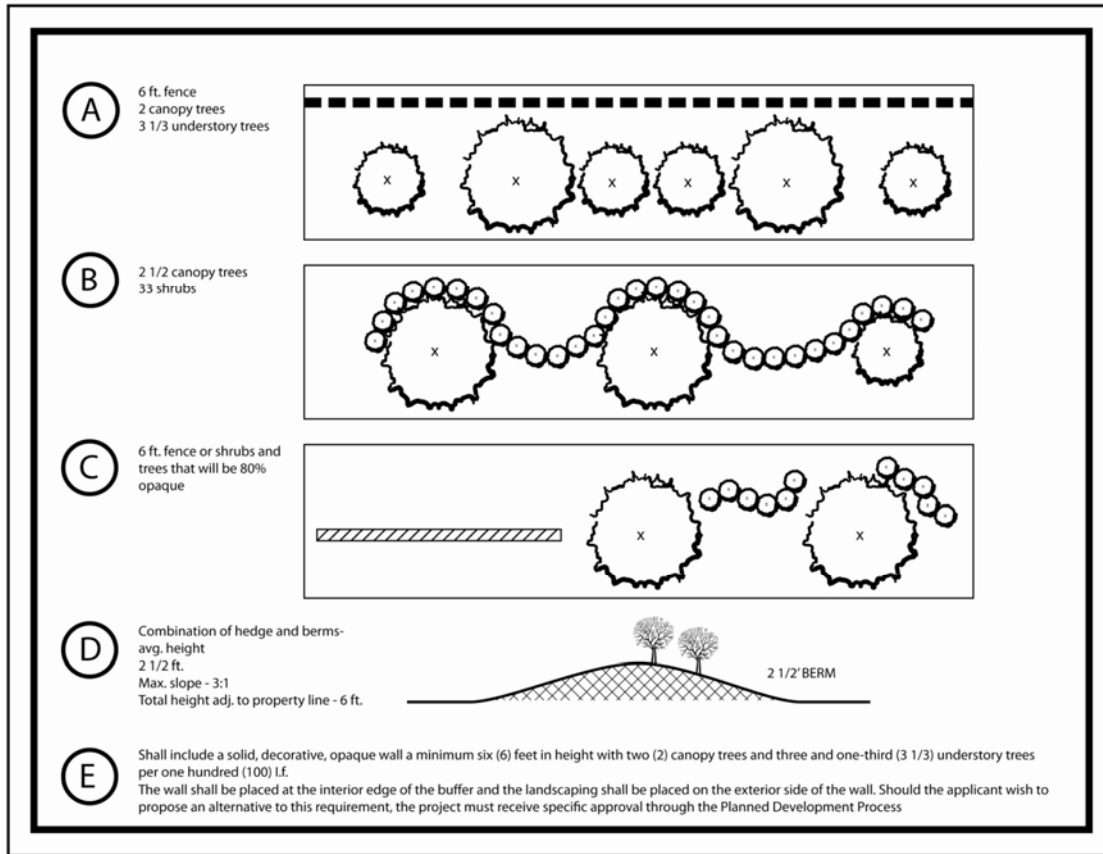


Figure 7-4: Buffer Screening Matrix; Width of Buffer Required (In Feet)

Proposed Use	Abutting Use/or Zoning Width of Buffer Required (in Feet)														
	Res. Excl.	Multi-Family	Res. Single-Family	Community Residential	Retail Commercial	Service Commercial	Misc. Service	Service	Industrial	Misc. Uses	Rec. Uses	Transportation	Warehouses	Intensive	
Res. Excl. M.F.	0	10	10	10	15	10	15	15	20	15	10	20	20	15	
Multi-Family	10	0	5	10	15	10	10	10	20	10	10	20	15	10	
Res. Sup. Uses	10	5	0	5	10	5	5	5	10	10	5	15	15	10	
Community Ser. Uses	10	10	5	0	5	5	5	5	10	5	5	10	10	10	
Retail Commercial	15	15	10	5	0	5	5	5	10	5	5	10	5	5	
Serv. Commercial	10	10	5	5	5	0	5	5	10	5	5	10	5	5	
Misc. Service	15	10	5	5	5	5	0	5	10	5	5	10	5	5	
Services	15	10	5	5	5	5	5	0	10	5	5	10	5	5	
Industrial	20	20	10	10	5	5	5	5	0	10	10	5	5	0	

Misc. Uses	15	10	10	5	5	5	5	5	10	0	5	10	10	10
Rec. Uses	10	10	5	5	5	5	5	5	10	5	0	10	10	10
Transp. Uses	20	20	15	10	10	10	10	10	5	10	10	0	5	5
Warehouse	20	15	15	10	5	5	5	5	5	10	10	5	0	5
Intensive Ag* Uses	15	10	10	10	5	5	5	5	0	10	10	5	5	0

\*Intensive Ag Uses shall be defined for the purpose of this chart to include Agricultural Products Processing Plants, Animal Products Processing Facility, Animal Shelters, Farm Equipment and Supply Establishments, Kennels, Sawmills, Slaughterhouses, Stockyards/Feedlots, and Veterinary Hospitals.

~~701.6. Residential Street Trees.~~

- ~~1. One (1) canopy tree shall be planted within twenty five (25) feet of the right of way of each local street within a residential development for every fifty (50) linear feet, or substantial fraction thereof, of right-of-way when proposed lots have a minimum of one hundred (100) feet of frontage or greater. When proposed lots have less than one hundred (100) feet of frontage, street trees shall be limited to one (1) canopy tree per frontage. None of these required trees shall be planted within a public or private utilities easement. Palm trees may not be utilized to meet this requirement, unless they are grouped with a minimum of two (2) used for each canopy tree. A maximum of twenty five (25) per cent of all proposed residential street trees may be palm trees.~~
- ~~2. For proposed lots with less than sixty (60) feet of frontage smaller maturing canopy trees or understory trees may be utilized.~~
- ~~3. The trees shall be spaced no closer together than twenty five (25) feet, unless a decorative grouping or alternative method is chosen by the developer. Existing native trees should be used to fulfill these requirements wherever they meet the spacing and size requirements and are adequately protected during construction.~~
- ~~4. Installation and initial maintenance of landscaping on all common areas within the project is the developer's responsibility. A notice of responsibility for the property owner's installation and maintenance of the trees shall be drafted in a notice recorded in the public records governing the development.~~

706.3. General Prohibition; Exemptions.

- A. **Prohibition.** No development, as defined in this Code, shall occur in a wetland or wetland buffer unless approved in accordance with this Section.
- B. **Exemptions.** The requirements of this Section shall not apply to the following activities, which the Board hereby finds to comply with the requirements of Objective 3.3.1 of the Comprehensive Plan by nature and purpose:
  1. Manual clearing of nuisance exotic plant species or noxious endemic vegetation such as poison ivy or cattails;

2. Minor maintenance or minor emergency repair to existing structures or improved areas;
  3. Overhead utility crossings, provided that associated access roads shall be subject to the requirements of this Section;
  4. Maintenance, together with incidental dredge and fill activities in ditches, public roads and other rights-of-way, and other related drainage systems;
  5. Mosquito or aquatic weed control activities permitted by federal, state, regional or local agencies;
  6. Alterations of wetlands affected by phosphate mining activities, which shall be governed by Chapter 2-20 of the Manatee County Code of Ordinances;
  7. Those activities exempted by the Florida Department of Environmental Protection pursuant to the provisions of Chapter 62-312, Florida Administrative Code, to the extent that such activities are not prohibited by other provisions of this Code or policies of the Comprehensive Plan;
  8. Clearing and/or construction of walking trails in compliance with the specifications of this Section; and
  9. Construction of timber boardwalks/catwalks for direct access to waterbodies, wildlife management shelters, footbridges, observation decks and similar water-related structures not requiring dredging and/or filling for their placement in compliance with the specifications of this Section of this Code. All such structures shall be elevated on pilings to permit the unobstructed flow of water and movement of wildlife, to minimize shading of the area beneath the structure, and to preserve the natural contour of the wetland. Excavation and filling of irrigation or drainage ditches in uplands on non-hydric soils that are not treated as wetlands by the State.
10. Activities which are authorized pursuant to a State environmental resource permit, or which are exempt from State environmental resource permitting.

## 1001.6. Sidewalks, Pedestrian Ways and Bicycle Facilities Standards.

Sidewalks, pedestrian ways and bicycle facilities shall be provided to allow for safe and convenient access to pedestrians and bicyclists.

### A. Sidewalks.

1. *Sidewalks Required.* New development requiring Administrative or Special Permits, Preliminary or Final Site Plans, or Preliminary or Final Plat approval shall provide five (5) foot sidewalks, constructed to the specifications of the Manatee County Public Works Standards, as follows:
  - a. Along both sides of all new or existing Major Thoroughfares, unless the development is adjacent only to one (1) side of the thoroughfare. In such case, the development shall be required to construct a sidewalk only on the side of such street lying adjacent to the development.
  - b. Along the north and west sides of all new or existing public streets contiguous to the development, and/or also within the proposed development. The Department Director has the ability to require placement of sidewalks in other locations (i.e. on the south or east sides of streets) to provide a more efficient pedestrian system.
  - c. Along all new or existing streets abutting a development located:
    - i. Within two (2) walking miles of any Public Elementary or Middle School;

- ii. In PR, NC, GC, HC, LM and HM Zoning Districts;
  - iii. Nonresidential planned development districts; or
  - iv. Within a fifteen hundred-foot radius of a transit stop.
- 2. *Sidewalk Extension.* The Department Director may require construction of sidewalks to extend a maximum distance of one thousand (1,000) feet beyond the outer limits of the proposed development in the interest of safety for handicap accessibility, and to extend sidewalks to existing or proposed attractors.
- 3. *Exemptions.* The following shall not be required to provide sidewalks:
  - a. Where sidewalks do not exist within one thousand (1,000) feet to property zoned A, A-1, LM, HM, or EX, sidewalks shall not be required except as stipulated in this Section.
  - b. Sidewalks shall not be required along interstates and limited access highways.
  - c. Individual Mobile Homes.
  - d. Home Occupations.
  - e. Telecommunication towers, where sidewalks do not exist within one hundred (100) feet of the parent parcel.
- 4. *Private Development.* Within a private development, sidewalks shall be required along dedicated and non-dedicated streets. However, all private development may provide pedestrian walks with a minimum of five (5) feet which interconnect principal structures, parking areas, recreational facilities and adjoining sidewalks in lieu of the required sidewalk along non-dedicated streets. Such walks shall be paved. All walkways shall be constructed in accordance with the Manatee County Public Works Standards for sidewalks and ADA design requirements. In addition, where the private development is contiguous to any street, a five-foot sidewalk shall be installed along the streets contiguous to the development.
- 5. *Agreement to Defer Completion of the Required Sidewalk.* The Department Director may approve a deferral of construction, when, the owner executes an "Agreement to Defer Completion of the Required Sidewalk" according to the Manatee County Public Works Standards.
- B. **Pedestrian Ways.** Pedestrian ways shall be required where essential to provide circulation or access to schools, parks, employment centers, shopping centers, transportation and other community facilities consistent with the need to ensure privacy for the development. The development of pedestrian ways shall be required, concurrent with development, within fifteen hundred (1,500) feet of a transit route to encourage pedestrian and transit intermodal travel. Pedestrian ways shall have a minimum width of ten (10) feet, including a paved walkway of six (6) feet. The remainder of the pedestrian way shall be landscaped in a manner that provides a neat and attractive appearance. Planting materials shall conform to Section 701, Landscaping. Lighting, screening, and other improvements shall be included in such a manner as to provide security, tranquility, and privacy for occupants of adjoining property and safety for users of the ways.
- C. **Bike Lanes.** Bike paths and bike lanes shall be constructed and dedicated to Manatee County in accordance with the Manatee County Public Works Standards and any Master Bike Route Plan adopted by the County.
- D. **Non-motorized Multi-Use Greenway Trails.**
  - 1. *Spine Trails.*
    - a. When development abuts a public right-of-way where a trail corridor is proposed in the adopted Manatee County Greenways Master Plan, a trail shall be installed in lieu of required sidewalks, subject to County approval. Trails shall be constructed to meet or exceed the specifications of the Manatee County Greenways Master Plan and Manatee County Public Works standards.

- b. Developments located within ½ mile of a proposed trail corridor (spine trail) identified in the adopted Manatee County Greenways Master Plan shall be evaluated to determine if the trail corridor may be located on the development site. If determined appropriate for trail development, the developer shall dedicate land for trail development.
  - c. If land within a development is dedicated for a spine trail identified in the Manatee County Greenways Master Plan or for a trail providing connectivity to the spine trail (i.e., connector trail), the applicant may receive credit towards the countywide parks and open space impact fees levied upon the project, subject to the provisions of Chapter 8. Additionally, land dedicated for trails may be used to meet open space requirements of the project.
2. *Connectivity.*
- a. ~~Use of greenbelt buffers for connector trails is required. Up to fifty (50) percent of the width of a greenbelt buffer may be used for trails, subject to County approval. The planting requirements in Section 701.3 shall apply to the remaining portion of the greenbelt buffer.~~
  - b. On-site trail links providing connectivity with the County trail system, as well as provisions for trail links to, through and contiguous to adjacent property, shall be provided to form an integrated network of trails connecting neighborhoods recreational amenities, schools, libraries, and business centers offering goods and services.
  - c. The County may require construction of trails to extend a maximum distance of one thousand (1,000) feet beyond the outer limits of the proposed development where necessary to connect with or extend to other existing trails in the interest of safety, for handicap accessibility, and to extend trails to existing or proposed attractors. If necessary, the County shall participate in acquiring right-of-way for these connections. The applicant may receive credit towards the county wide parks and open space impact fee levied upon the project, subject to the provisions of Chapter 8.