

ORDINANCE NO. 22-05
COUNTY INITIATED LAND DEVELOPMENT CODE TEXT AMENDMENT – URBAN
CORRIDOR REQUIREMENTS

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR PURPOSE AND INTENT REGARDING AMENDMENTS TO THE URBAN CORRIDOR DESIGN STANDARDS; PROVIDING FINDINGS; AMENDING CHAPTER 5, STANDARDS FOR ACCESSORY AND SPECIFIC USES AND STRUCTURES, SPECIFICALLY SECTION 531.16, DRIVE-THROUGH ESTABLISHMENTS, TO REMOVE THE REQUIREMENT FOR A STREET WALL; AMENDING CHAPTER 9, DESIGN GUIDELINES AND STANDARDS; SECTION 902.4.E, BLOCKS, LOTS, AND BUILDINGS, TO CLARIFY LANDSCAPING IN FRONT SETBACK ZONES; SECTION 902.4.G, LOCATION OF PARKING FACILITIES; SECTION 902.5.C BUILDING DESIGN STANDARDS, BUILDING ENTRANCES; AND SECTION 902.5.G, STREET WALLS; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR OTHER AMENDMENTS AS MAY BE NECESSARY FOR INTERNAL CONSISTENCY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, Part II of Chapter 163, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings in the adoption of this Ordinance:

1. Chapters 9, Design Guidelines and Standards and 5, Standards for Accessory and Specific Uses and Structures of the Land Development Code set forth design guidelines and standards for property located within Urban Corridors.
2. The County has initiated LDC Text Amendment No. LDCT-21-03 (the “LDC Text Amendment”) to clarify and update the design standards for property within the Urban Corridors as designated on Map 9-9, Urban Corridors, of the Land Development Code.

3. The Manatee County Planning Commission has been duly designated in Section 301, Land Development Code as the Local Planning Agency of the County.
4. Section 163.3174(4)c, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to consistency of the proposed land development regulations with the adopted Comprehensive Plan.
5. Section 301.1.D., Land Development Code, authorizes the Planning Commission to hold public hearings and make recommendations as to proposed amendments to the text of the Land Development Code.
6. The Planning Commission acting its capacity as the Local Planning Agency, held a duly noticed and advertised public hearing on February 10, 2022 as to the proposed LDC Text Amendment and found them to be consistent with the Manatee County Comprehensive Plan and the standards for review in Section 341, Land Development Code and has recommended their adoption to the Board.
7. The Board held two (2) duly noticed and advertised public hearings on April 7, 2022, and May 19, 2022, to receive public comments and consider the recommendation of the Planning Commission as to the LDC Text Amendments.
8. The adoption of the LDC Text Amendments will foster and preserve the public health, safety and welfare and aid in the harmonious, orderly and progressive development of the County and thus will serve a valid public purpose.

Section 3. Adoption of the Land Development Code Text Amendment. The Land Development Code Text Amendment attached to this Ordinance and incorporated herein as Exhibits A and B are hereby adopted as Amendments to the Land Development Code of the County. The Land Development Code Text Amendment shall consist of the following Chapters and Sections of the Land Development Code as set forth in the following two (2) Exhibits:

- (a) Exhibit A-Chapter 5, Standards for Accessory and Specific Uses and Structures.
- (b) Exhibit B-Chapter 9, Design Guidelines and Standards.

Section 4. Codification. The publisher of the County's Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this Ordinance into the Land Development Code.

Section 5. Applicability. The amendments set forth in this Ordinance shall apply to all applications, decisions or controversies pending before the County upon the

effective date hereof or filed or initiated thereafter.

Section 6. 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 invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the 19th day of May 2022.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: _____
Kevin Van Ostenbridge, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court and Comptroller

By: _____
Deputy Clerk

EXHIBIT "A"

Chapter 5 - STANDARDS FOR ACCESSORY AND SPECIFIC USES AND STRUCTURES

PART IV. - STANDARDS FOR SPECIFIC USES.

Section 531. - Standards for Specific Uses.

531.16. Drive-Through Establishments.

531.16. Drive-Through Establishments.

The following standards shall apply to all drive-through facilities, including but not limited to restaurants, banks, drug stores, car washes, and dry cleaners.

- A. All vehicular stacking areas associated with drive through facilities shall be set back at least thirty (30) feet from adjacent residential zoning/uses.
- B. Drive through drive aisles shall be screened from adjacent residential zoning/uses by a six (6) foot solid fence and landscaping equal to sixty (60) percent opacity on the outside of the fence.
- C. On-site traffic circulation shall be designed in such a manner so that no cars are stacked on any rights-of-way, drive aisle or blocking any parking or loading space.
- D. Each stacking lane shall have a minimum width of nine (9) feet. Each stacking space shall have a minimum length of nineteen (19) feet and shall be consistent with the requirements in the Manatee County Public Works Standards Manual.
- E. All drive-through facilities shall provide a by-pass lane, or safe means of egress around drive-through lanes, unless waived by the Department Director due to specific mitigating site or operational conditions.
- F. One-way drive aisles which serve automobile-oriented uses may be reduced to eight (8) feet in width when adequate access for emergency vehicles is provided to the principal entrance of the building by other drives and when not encroaching upon a fire lane or walkway.
- G. Drive-through restaurants within the PDRP or PDI District shall be located on a collector or higher and oriented towards the exterior of the project.
- ~~H. Drive-through facilities not taking advantage of the additional development intensity offered in Chapter 4 for developments along designated urban corridors are not required to meet the standards of Section 902. However, a street wall meeting standards of Section 902.5.G. (Street Walls) shall be provided to screen vehicular use areas. Additionally, the drive through window(s) shall not face the urban corridor.~~

The standards of this section apply to all properties which, at the time of development approval, are located within an Urban Corridor as defined in Chapter 2 and as depicted on Map 9-9.

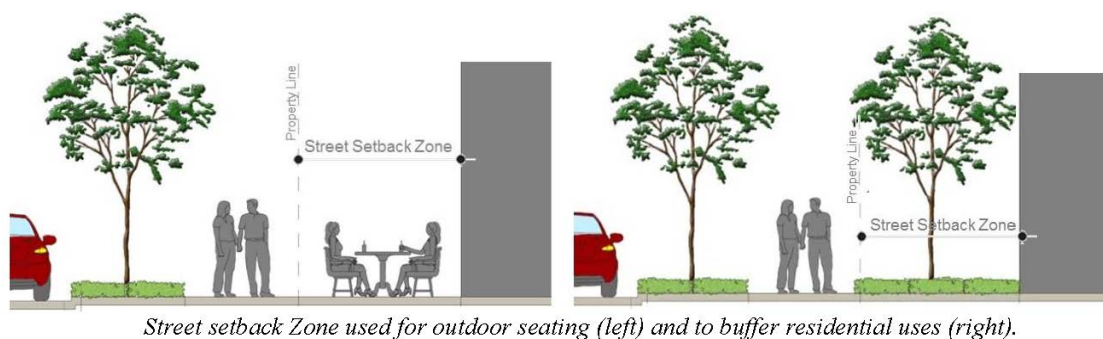
- C. To integrate adjacent properties along the Urban Corridors through a connected pedestrian and vehicular network;
- D. To support cohesive, mixed-use development along the Urban Corridors with higher development densities and intensities;
- E. To encourage the development of high-quality mixed-use, multi-family and single-use developments through incentives; and
- F. To provide standards and criteria by which proposed development in the Urban Corridors will be reviewed in order to achieve mixed-use with higher densities and intensities.

(Ord. No. 16-06 , § 3(Exh. A-6), 11-15-16)

902.4. Blocks, Lots, and Buildings.

- E. **Front Setback Zone.** The intent of the front setback is to provide a transition, both physical and visual, from the street to the building. The zone created by the required setback (also known as the Private Frontage Zone) should vary in design depending on the level of privacy desired along the building façade. Commercial buildings usually have a setback zone designed to attract customers into the building, while residential buildings often have a setback zone designed to provide privacy to the ground floor rooms, as shown on Figure 9-31.

Figure 9-31: Examples of Front Setback Zone Activity



1. ***Front Setback Zone Standards, General.***

- a. Landscaping, ~~if provided~~ within the front setback zone, shall be in the form of containers and/or planter boxes consistent with the building mass and architecture for uses requiring less privacy (example on the left of Figure 9-31). Front setback zones in front of uses that do not require

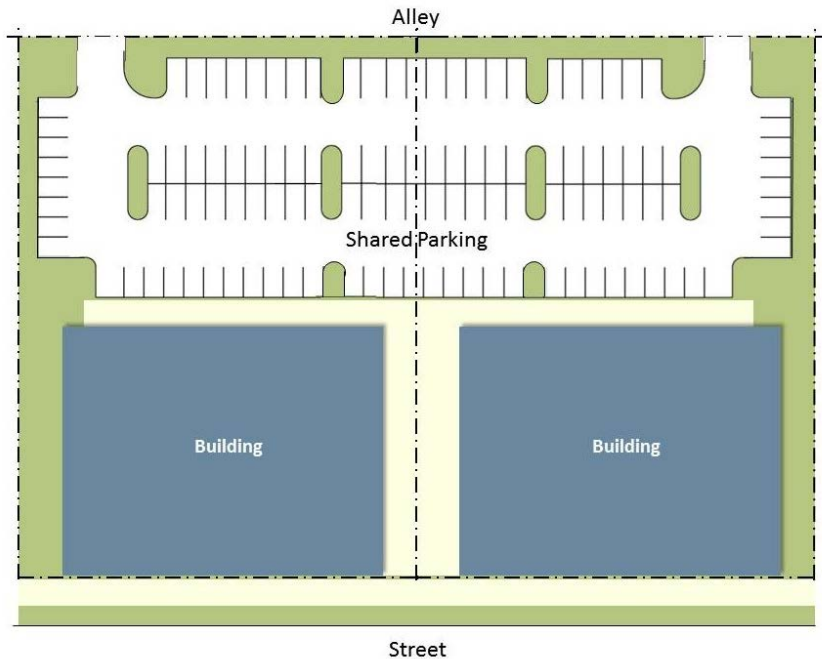
pedestrian interaction along the façade (e.g. offices, hotels, multifamily) ~~may~~ shall be landscaped with a combination of intermediate (understory) trees, palms, shrubs, vines and/or ground covers. See Section 701, landscaping and screening standards.

- b. Cantilevered balconies, bay windows, and roof overhangs may encroach into the front setback zone as specified in Figure 9-32. Additional elements allowed to encroach into the front setback zone are also listed in Figure 9-32.
- c. Street furniture such as benches, trash receptacles, and/or bicycle racks may be installed within the front setback zone.
- d. Outdoor dining is permitted within front setback zones.
- e. Elements within the front setback zone (landscaping and architectural features) shall comply with the vision triangle requirements established using AASHTO standards.
- f. The proposed building ground floor along the front setback zone shall contain active uses oriented to the street. Active uses may include display or floor areas for retail uses, waiting and seating areas for restaurants, atriums or lobbies for offices, and lobbies or dining areas for hotels or multi-family residential buildings.

G. Location of Parking Facilities.

1. Surface parking lots shall be located in the rear of the lot, behind the building.
2. Surface parking between the building and the side property line is permitted subject to the building frontage requirements being met.
3. Surface and structure parking areas shall be accessed from a secondary street, from an adjacent property (shared use agreement necessary), or from rear alleys if any of these are available or proposed as part of the development (see Figure 9-33 and Figure 9-34). Access through single-family residential neighborhoods, however, shall not be allowed, unless the project is strictly residential and a second means of access, pursuant to Section 1001.C.1 is required. -
4. Any surface parking areas located along a public street shall be screened from street view by a street wall. See wall standards in Section 902.4.G.

Figure 9-34: Shared Parking



5. Parking structures shall be placed behind a liner building that houses active uses (e.g. commercial, office, residential). The liner building, which may be attached or detached from the parking structure, shall extend for a minimum of seventy-five (75) percent of the length of the parking structure, and shall have a minimum depth of thirty (30) feet. See Figure 9-36.
6. Liner buildings are not required along other streets (Figure 9-36). However, any portion of a parking garage that is not concealed behind a building shall be screened to conceal all internal elements such as plumbing pipes, fans, ducts and lighting. Ramping should be internalized wherever possible. Exposed spandrels shall be prohibited.
7. Parking garages not concealed behind liner buildings or active uses (e.g. commercial, office, residential) shall provide a landscaping strip along the facade as follows (Figure 9-37):
 - a. The landscaping strip shall have a minimum depth of eight (8) feet; and
 - b. A minimum of five (5) understory trees per one hundred (100) linear feet and a row of evergreen shrubs shall be planted along the strip. Vines growing on a metal mesh mounted on the wall of the parking garage are encouraged (Figure 9-35).

Figure 9-35: Garage Landscaping



8. The exterior facades of all parking garages shall be designed as to achieve architectural unity with the principal structure(s) which they are intended to serve and with abutting existing residential areas.
9. Parking structures shall meet setback, height, façade articulation and glazing standards contained in this section.

902.5 Building Design Standards

C. Building Entrances.

1. The *main* entrance of all nonresidential and mixed-use buildings shall be oriented toward the public right-of-way where possible.
2. Where parking areas are located behind the building, a *secondary* pedestrian entrance may be provided from the parking area directly into the building.
3. Entrances shall be operable, clearly-defined and highly-visible. In order to emphasize entrances they shall be accented by a change in materials around the door, recessed into the façade (alcove), or accented by an overhang, awning, canopy or similar feature.
4. Pedestrian connections from the public sidewalk and parking areas to the building entrance shall be provided.

G. Street Walls. While fences are typically used to achieve privacy on a site, street walls are used to

continue the building frontage along a street, to screen vehicular areas such as parking lots, and to frame public zones such as courtyards and outdoor dining areas, as shown on Figures 9-41 and 9-42. Street walls are required in the absence of a building façade along any part of a building frontage line. See Section 902.4.C for building frontage requirements.

Street walls shall meet the following standards:

1. ~~In the absence of a building façade along any part of a building frontage line, a~~ street wall shall be built co-planar with the façade. Breaks are permitted and encouraged in the street wall to provide pedestrian access to the site and for the purpose of tree protection. Street walls shall have openings no larger than necessary to allow automobile and pedestrian access or for tree protection.
2. Street walls are the only types of fences/walls allowed facing streets and alleys.
3. Street walls shall be a minimum of 3 feet in height and shall not exceed a 5-foot maximum. However, the portion of the wall above 3 feet shall be no more than 50% solid with a combination of wrought iron (or similar material) and columns.
4. Street walls shall be constructed of wrought iron, brick, masonry, stone or other decorative materials and shall match or complement the finishes on the building. Chain link, wire, and pvc fencing shall be prohibited.
- 4.5. The exterior area between the street wall and public sidewalk shall be a minimum of 5 feet wide and landscaped with a combination of intermediate (understory) trees, palms, shrubs, vines and /or ground covers. See Section 701, for landscaping and screening standards.
6. When landscaping is provided on either the interior side of the wall, the landscaping strip shall be a minimum of two (2) feet wide.
- 5.7. Elements within the front setback zone (landscaping and architectural features) shall comply with the criteria for Intersection Sight Distance (ISD) Triangles and Sight Visibility Triangles per the Manatee County Public Works Standards Part 3, Highway and Traffic Standards Manual.
- 6.8. A building elevation/rendering of the wall materials, color, and landscaping shall be provided with the submittal of first site plan review/approval.

Figure 9 - 41: Street Wall

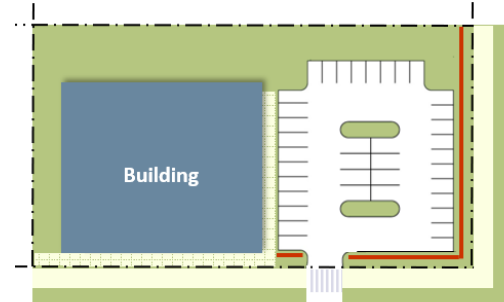


Figure 9 -4142: Examples of Street Walls



Chapter 9 - DESIGN GUIDELINES AND STANDARDS
Section 902. - Urban Corridor Design Standards.

