

ORDINANCE NO. 15-29

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING SECTION 200, DEFINITIONS; SECTION 312.7A (TABLE 3-1), NOTICE OF PUBLIC HEARINGS; SECTION 335.13, SURVEY DATA REQUIRED FOR FINAL SUBDIVISION PLATS; SECTION 337.8, MONUMENTS; SECTION 401.3.E.1, BULK AND DIMENSIONAL REGULATIONS; SECTION 401.4 (TABLE 4-3, TABLE 4-4, AND TABLE 4-5), SCHEDULE OF AREA, HEIGHT, BULK AND PLACEMENT; SECTIONS 402.8.C AND 402.8.D, PLANNED DEVELOPMENT MOBILE HOME; SECTION 531.45, RESIDENTIAL CARE FACILITIES; SECTION 700.3A.4.e, TREE PROTECTION (PROCEDURE); SECTION 700.3.I.7, TREE REPLACEMENT ALTERNATIVES; SECTION 701.3.D, RESIDENTIAL STREET TREES; SECTION 800.8.C, LOT REQUIREMENTS; SECTION 802.6.B.5.b, FLOODPLAIN MANAGEMENT STANDARDS; SECTION 1001.8.G.3 AND 1001.8.H.3, STREET AND STRUCTURE NUMBERING STANDARDS; SECTION 1005.3.A, NUMBER OF VEHICULAR PARKING SPACES REQUIRED; AND SECTION 1102.1.C, IMPACT FEES (FEE OBLIGATION) OF THE MANATEE COUNTY LAND DEVELOPMENT CODE TO PROVIDE CORRECTIONS, CORRECT SCRIVNER'S ERRORS, AND RE-INSTATE CERTAIN POLICIES; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; 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 Local Government Comprehensive Planning and Land Development Regulation 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. Section 200, Section 312.7A (Table 3-1), Section 335.13, Section 337.8, Section 401.3.E.1, Section 401.4 (Table 4-3, Table 4-4, and Table 4-5), Sections 402.8.C and 402.8.D, Section 531.45, Section 700.3A.4.e, Section 700.3.I.7, Section 701.3.D, Section 800.8.C, Section 802.6.B.5.b, Section 1001.8.G.3, Section 1001.8.H.3, Section 1005.3.A, and Section 1102.1.C of the Manatee County Land Development Code (the "Code") set forth regulations concerning Definitions, Notice of Public Hearings, Survey Data Required for Final Subdivision Plats, Monuments, Bulk and Dimensional Regulations, Schedule of Area, Height, Bulk and Placement Regulations, PDMH – Planned Development Mobile Home (Permitted Accessory Uses and Structures and PDMH Standards), Residential Care Facilities, Tree Protection (Procedure), Tree Replacement Alternatives, Residential Street Trees, Lot Requirements, Floodplain Management Standards, Street and Structure Numbering

Standards, Number of Vehicular Parking Spaces Required, Impact Fees (Fee Obligation);

2. On June 4th, 2015, the Board of County Commissioners adopted Ordinance No. 15-17, amending and restating in its entirety the Code, which inadvertently included certain changes to Section 200, Section 312.7A (Table 3-1), Section 335.13, Section 337.8, Section 401.3.E.1, Section 401.4, Table 4-3 (Table 4-4, and Table 4-5), Sections 402.8.C and 402.8.D, Section 531.45, Section 700.3A.4.e, Section 700.3.I.7, Section 701.3.D, Section 800.8.C, Section 802.6.B.5.b, Section 1001.8.G.3, Section 1001.8.H.3, Section 1005.3.A, and Section 1102.1.C of the Code which the Board did not intend.
3. It is in the interest of the public health, safety, and welfare to adopt the amendments to the Land Development Code set forth herein.
4. The Manatee County Planning Commission held a duly noticed and advertised public hearing on October 8th, 2015, received public comments, the staff report and has reviewed the amendments set forth in this Ordinance and has found these amendments to be consistent with the Manatee County Comprehensive Plan and the standards for review in Section 503 of the Code, and has recommended their adoption to the Board, on November 5th, 2015 and December 3rd, 2015.

Section 3. Amendment of the Land Development Code. Section 200, Section 312.7A (Table 3-1), Section 335.13, Section 337.8, Section 401.3.E.1, Section 401.4 (Table 4-3, Table 4-4, and Table 4-5), Sections 402.8.C and 402.8.D, Section 531.45, Section 700.3A.4.e, Section 700.3.I.7, Section 701.3.D, Section 800.8.C, Section 802.6.B.5.b, Section 1001.8.G.3, Section 1001.8.H.3, Section 1005.3.A, Section 1102.1.C of the Code are hereby amended as set forth in Exhibit "A" to this Ordinance.

Section 4. Codification. The publisher of the County's Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Sections 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 3rd day of December, 2015.

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

By: _____
Betsy Benac, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

By: _____
Deputy Clerk

ORDINANCE EXHIBIT “A”
AMENDMENTS TO
THE LAND DEVELOPMENT CODE
(underlined language added, strike-through language deleted)

1. Amendment to **Section 200 Definitions:**

Canopy, Building shall mean a structural cover, to include but not limited to: canvas or hard surface for protection from the elements, typically a wall less structure; either attached to another structure or detached.

Certified Lot(s) shall mean any subdivision, dividing or splitting of unplatted land for no more than two lots, all of which are buildable per the current zoning of the proposed parcel(s) and consistent with the LDC and Comprehensive Plan.

Eligible Affordable Housing shall mean any dwelling unit located within the County which is designed and intended for the primary purpose of providing decent, safe and sanitary residential units that are designed to meet the standards of Chapter 553, Florida Statutes, (excluding mobile and ~~manufactured~~ mobile homes) for home ownership or rental for eligible persons. Eligible affordable housing units shall not exceed the maximum values as defined by Manatee County's Local Housing Assistance Plan.

Floor Area, Gross shall mean the sum of the horizontal areas of the several floors of all buildings on a lot, measured from the exterior faces of exterior walls, and from the center line of walls separating two (2) or more buildings. The term gross floor area shall be deemed to include but shall not be limited to: basements, wall-less structures where business is transacted (including but not limited to: garden centers and outdoor eating areas and shall not include seasonal display/sales areas), elevator shafts and stairwells at each story, floor space used for mechanical equipment with structural headroom of six (6) feet six (6) inches or more, penthouses, attic space, whether or not a floor has actually been laid, providing structural headroom of six (6) feet six (6) inches or more, interior balconies, mezzanines with structural headroom of six (6) feet six (6) inches or more. ~~and garage space, exclusive of area open and unobstructed to the~~

Gross floor area shall also not include that area covered by a roof and not enclosed: wall-less structures where business is not transacted, awnings, canopies, porte-cocheres, architectural buttresses, gazebos, roof overhangs, and interior parking garages and loading areas, all of which where business is not transacted.

Lot, Certified. (See Certified Lot)

Lot Line, Front shall mean the street line of a lot, except:

- A. On a through lot, the front lot line shall be deemed the street line which faces the principal entrance of the principal building.
- B. On lots in common or dedicated open space, the front lot line shall be deemed to be the closest lot line which faces the principal entrance to the principal building or structure.
- C. On an existing approved flag lot (lot of record), the closest lot line which faces the principal entrance or approach to the principal building shall be deemed to be the front lot line.

Lot, Interior shall mean any lot, including a through lot, other than a corner lot.

- ~~A. On a through lot, the front lot line shall be deemed the street line which faces the principal entrance of the principal building.~~
- ~~B. On lots in common or dedicated open space, the front lot line shall be deemed to be the closest lot line which faces the principal entrance to the principal building or structure.~~
- ~~C. On an existing approved flag lot (lot of record), the closest lot line which faces the principal entrance or approach to the principal building shall be deemed to be the front lot line.~~

Replat shall mean the further division, ~~since May 4, 1981,~~ of lots or the relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law that increases the density of any such subdivision or the alteration of any streets or the establishment of any new streets within any such subdivision, but shall not include conveyances made so as to combine existing lots by deed or other instrument.

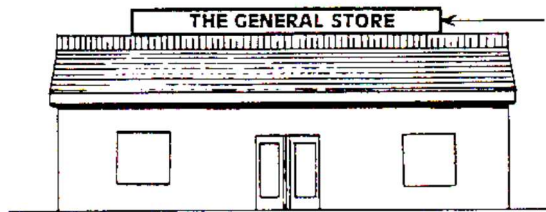
Signs

Government Sign shall mean any sign erected by or on the order of a public official or

quasi-public entity (i.e., Community Development District, ~~Community Redevelopment Agency~~, Water Management District) in the performance of his or her official office or duty including but not limited to, on and off-site signs identifying a government building or service, traffic control signs, street name signs, warning and information signs, public notices of events, or signs of a similar nature. Signs posted for the purposes of providing public notice for identifying a proposed change of land use or zoning shall be deemed to serve similar purposes as Government Signs.

Roof Sign shall mean a sign erected upon or above the roof surface of any building. This term shall not include a mansard sign or a sign erected on the vertical wall portion of a cupola.

Figure 2-20-9: Roof Sign



Snipe Sign shall mean an off-site temporary sign made of any material in the public right-of-way or utility easement which is tacked, nailed, posted, glued, or otherwise attached to any utility pole, tree, fence, fence post supports, stakes, or other signs or other similar objects.

Figure 2-9-10: Snipe Sign



Subdivision Sign shall mean an identification sign which is designed to identify a major subdivision (defined generally as 11 or more residential lots and more specifically in Chapter 2 of this Code).

Figure 2-40 11 : Subdivision Sign



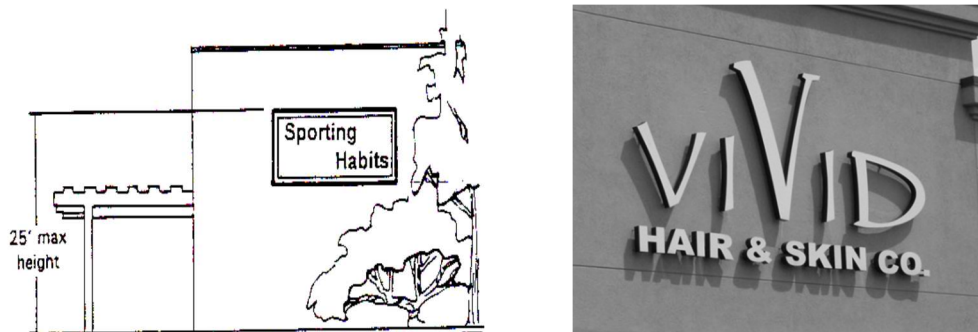
Tag Sign shall mean a sign for scannable information without readable text.

Figure 2- 44-12 : Tag Sign



Wall Sign shall mean any sign which is painted on, fastened to, or erected against an exterior wall of a roofed building with its face in a parallel plane to the plane of the building facade or wall and which shall not project more than twelve (12) inches from such wall.

Figure 2-42 13: Wall Sign



Subdivision shall mean the division of a parcel of land or lot of record that results in the creation of ~~a third parcel~~ two (2) parcels of land since May 4, 1981, under five (5) acres in size for the

purpose, whether immediate or future, of transfer of ownership, or, if the establishment of a new street is involved, any division of such parcel. The term subdivision shall also include any replat.

Subdivision shall not be deemed to include, if the division of land results in parcels:

- A. Each greater than five (5) acres in area except in conjunction with the creation of a new street, or
- B. Any change in ~~street~~ right-of-way lines or easements.

The combining or reconfiguration of platted lots or portions thereof, does not constitute a subdivision when the lot area, required access and width of the resulting lots is not less than the original lots or than allowed by this Code, whichever is less provided the number of lots is not increased.

The division of property for the conveyance of land to a federal, state, county or municipal governmental agency, entity, political subdivision, or public utility does not constitute a subdivision, if such property is accepted by the governmental body (See Chapter 3, Part V).

~~Motor~~ *Vehicle Repair* shall include neighborhood serving, community serving or major repair establishments, as follows:

- A. Neighborhood Serving, which may include any of the following:
 - 1. Sale and service of spark plugs and batteries.
 - 2. Replacement of fan belts, brake fluids, light bulbs, fuses, floor mats, windshield wipers and blades, and mirrors.
 - 3. Fluid replacement.
 - 4. Greasing and lubrication.
 - 5. Emergency repair of wiring.
 - 6. Minor adjustment not involving removal of the head of crankcase and grinding valves.
 - 7. Battery recharging.
 - 8. Safety inspections.
- B. *Community Serving*, which may include all neighborhood serving motor vehicle repair and may include any of the following:
 - 1. Sale or service of distributor and ignition system parts.
 - 2. Sale, service or repair of tires, but shall not include recapping or regrooving.
 - 3. Replacement of mufflers, tail pipes, water hoses, seat covers, grease retainers, wheel bearings, and the like.
 - 4. Radiator cleaning and flushing.
 - 5. Providing and repairing fuel pumps, oil pumps, and the like.
 - 6. Minor adjustment and repair of carburetors.

7. Adjusting brakes and installing exchange brake shoes.
8. Wheel balancing.
9. Warranty maintenance.
10. Other minor servicing of a similar intensity to those listed above.

C. *Major*. Activities of greater intensity than those listed in (A) or (B). Major motor vehicle repair shall also include the repair of boats and boat motors. (See Section 704, Motor Vehicle Repair).

~~Motor~~ *Vehicle Sale, Rental or Leasing Establishment* shall mean any premises where the principal use is the sale, rental or leasing of any commercial or domestic vehicle. Vehicle sale, rental or leasing establishments shall not be deemed to include the storage, except for sales display, of trucks, machinery or equipment of more than one-and-one-half (1½) tons in weight or buses, or the sales, rental or leasing of mobile homes or recreational vehicles.

2. Amendment to **Section 312.7.A. Table 3-1, Notice of Public Hearings:**

All meetings of the Board of County Commissioners, the Planning Commission, Hearing Officer, and the Historic Preservation Board are subject to the notice requirements under this section, the Florida Statutes and the Rules of Procedure of the Board of County Commissioners. If there is ever a conflict between the provisions of this Code and state law relative to notice matters, the most restrictive shall prevail and apply. The applicant shall be responsible for all costs incurred by the County in the issuance and publishing of notices.

A. Notice Types. The types of public notice used for various public hearings include *mailed* notice, *published* notice, and *posted* notice by signs located on the subject property. The public notices noted in Table 3-2 are required for each public hearing.

Table 3 - 1: Required Public Notice for Development Applications

Application	Type of Notice		
	Mailed	Published	Posted
Neighborhood Workshop	X	-	-
Comprehensive Plan Amendment, Text	-	X	-
Comprehensive Plan Amendment, Map	X	X	X
LDC Text Amendment	-	X	-
Rezoning (incl. Rezoning to Planned Development)	X	X	X
Special Permit	X	X	X
General Development Plan	X	X	X
Final Site Plan	-	-	-
Preliminary Plat	-	-	-

Final Plat	X	X	X
	=	=	=
Vacation of Streets/Plats	-	X	X
Variance	X	X	X
CLOS Extension	-	X	-
CLOS Appeal to Hearing Officer (other than administratively approved)	-	X	X
Local Development Agreement	-	X	-

3. Amendment to **Section 335.13 Survey Data Required for Final Subdivision Plats:**

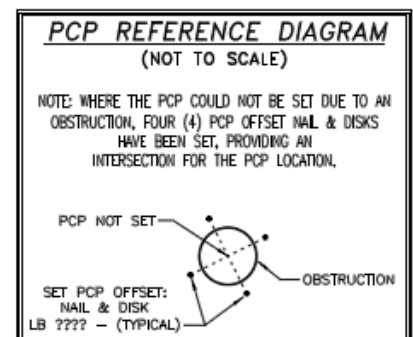
Plats made for recording shall meet the requirements of Section 177.091, F. S., ~~Plats Made for Recording~~, and the following Manatee County specific requirements:

- A. Two benchmarks shall be identified or set within or immediately adjacent to each new subdivision plat plus one additional mark for every 50 lots over 99 lots. The North American Vertical Datum of 1988 shall be used with the relationship to the National Geodetic Vertical Datum of 1929 being provided in the plat notes, along with how that relationship was determined. The originating benchmark shall be identified in the plat notes and must be published by the County, the State – available from Land Boundary Information System (LABINS), or the National Geodetic Survey (NGS). Generally, the plat benchmarks shall be a metal disk stamped “BM” and the “LB” number of the legal entity or the “LS” number of the platting surveyor and affixed to concrete with a masonry type nail. The ~~concrete~~ mark shall be a readily accessible concrete structure or feature that is reasonably safe from damage. Alternately for a subdivision where construction has not commenced or sufficiently completed at the time of recording, a Benchmark Affidavit may be recorded when concrete structures or features are available but will be required to be bonded with the PCPs and acknowledged in the surveyor’s Certification. The use of PRMs as benchmarks are strongly discouraged and permitted only as a last resort. Marks that lack some form of identification are not acceptable.
- B. State Plane Coordinates shall be provided on the point of beginning and one other monumented plat boundary corner generally opposite the point of beginning. The datum shall be in the North American Datum of 1983 (1990 adjustment or later). The originating monuments used to establish the coordinates shall be identified along with their published Point Identification number from NGS or Online Positioning User Service (OPUS). Alternately, OPUS observation on plat boundary monuments are acceptable provided the results are provided to the reviewing surveyor. Use of coordinates from Certified Corner Records prepared by Manatee County that are recorded with the Florida Department of Natural Resources are also acceptable provided the monument and accessories are substantially the same.
- C. The basis of bearing and metes and bounds description for new subdivisions not already part of a phased development as of ~~June~~ December 2015 shall be grid.
- D. Plat shall include the area of each lot and tract in square feet. A closure report shall be provided for each lot and tract and shall include the error of closure.

- E. The plat shall include the approximate location of the design edge of water or the seasonal high water for natural bodies of water immediately adjacent to each lot.
- F. The plat shall have a minimum text height of 3/32" for all plat data and text. Generally the text for the index or key map may be exempt provided the graphics are clear. If multiple sheets are used for the plat, a larger Index Map of the overall plat is required giving a basic representation of the Lots, Tracts, and Roads. Match lines are to be included in the Index Map with the layout of all the sheets. The Key Map is a smaller/ simpler version of the index map that is included on each subsequent sheet. Use subtle hatching or shading for area the particular sheet covers.
- G. The vicinity map on the coversheet shall provide a clear representation of the location of the subdivision in relationship with at least two significant intersecting roads
- H. The scale for the body of the plat is to be 1"=50' unless previously approved by the County Surveyor or reviewing surveyor. The sheet size required by the Clerk of the Circuit Court is 18" x 24"
- I. Duplicate line or curve designations are not allowed.
- J. Generally, a lot is to be depicted in its entirety on a single sheet. Portions of tracts may be depicted on multiple sheets.
- K. The plat geometry shall be a single geometric figure described by metes and bounds. Area(s) not part of the plat shall also be described by metes and bounds.
- L. Lot and other plat data distance precision – 1/100 of a foot (a note explaining precision is acceptable for example: "Except in the case of an irregular boundary or water course, numerical expressions shown hereon to the nearest foot or tenth of a foot, are to be interpreted as having a precision to the nearest one hundredth of a foot."). When cardinal directions are utilized, a similar note is needed explaining that the angular precision is to the second.

4. Amendment to **Section 337.8 Monuments:**

- A. **Permanent reference monuments (PRMs).** Permanent reference monuments PRMs shall be a metal rod 18" in length with a minimum cross-section area of 0.2 square inches and encased in concrete having a minimum cross-section area of 12.25 square inches and 24" in length with a metal disk stamped "PRM" and the "LB" number the legal entity or the "LS" number of the platting surveyor. For a boundary line along phased development that is not at or near design grade, or along a conservation easement line, PRMs may be set placed as required permitted by Ch. 177, F.S., or as amended. Monuments PRMs shall be set in the ground so that the top is flush or no more than one (1) foot below the finished grade and verified by inspection by the reviewing surveyor.
- B. **Permanent control points (PCPs).** PCPs shall be placed as required by Ch. 177, F.S., or as amended. Points shall not be more than one (1) foot below finished grade. Where a monument cannot



be set due to an obstruction, a diagram shall be included to clarify the references set which establishes the location where the PCP would be located. When the location PCP falls in a pervious surface, it shall be a metal rod 18” in length with a minimum cross-section area of 0.2 square inches and encased in concrete having a minimum cross-section area of 12.25 square inches and 24” in length with a metal disk stamped PCP and the “LB” number of the legal entity or the “LS” number of the platting surveyor. The top shall be flush with the ground or no more than one (1) foot below finished grade.

- C. Monuments set at lot corners shall satisfy the requirements of 5J-17, Florida Administrative Code or as ammended.
- D. For plats where the Permanent Control Points and / or Lot Corners are not installed at the time of the recording of the plat, the following certification of the platting surveyor shall be modified and utilized as appropriate: “Permanent Control Points and / or Lot Corner monuments shall be installed and certified by an official affidavit recorded with the Clerk of the Circuit Court within one (1) year of recording of the plat or prior to the release of the improvement bond for the PCPs and / or Lot Corner monuments.

5. **Amendment to Section 401.3.E.1 Bulk and Dimensional Regulations:**

1. Cornices and Similar Features. Cornices, awnings,~~leaves~~, gutters or other similar features shall be at least eight (8) feet above finish grade and may extend three (3) feet into any required yard or yard setback, but not nearer to any lot line than a distance of five (5) feet.

6. **Amendment to Section 401.4 Schedule of Area, Height, Bulk and Placement Regulations:**

Table 4 - 3. Schedule of Bulk and Dimensional Standards for Village Districts

	Village		
	Myakka	Rubonia	Parrish ³
DENSITY/INTENSITY			
Max. Residential Density ⁴	6.0	3.0	3.0
Max. FAR	0.23	0.23	0.23
Min. Open Space(%), Non-residential	20	20	20
LOT STANDARDS			
Min. Lot Area (sq. ft.)			
Single Family Detached	10,000	6,000	10,000
Single Family Semi-Detached	6,000	6,000	6,000
Duplex	8,000	5,000	8,000
Single Family Attached ⁵	2,400/3,600	2,400/3,600	2,400/3,600
Individual Mobile Homes	217,800	217,800	217,800
Non-residential	10,000	10,000	10,000
Min. Lot Width (ft.)			
Single Family Detached	75	60	75
Single Family Semi-Detached	50	50	50
Duplex	120	100	120
Single Family Attached ⁶	24/34	24/34	24/34
Individual Mobile Homes	200	200	200
Non-residential	100	100	100
Min. Unit Floor Area			
Residential	600	600	600
MINIMUM SETBACKS (ft.)			
Front			
Single-Family Detached ⁷	20	20	20
All other residential	25	25	25
Non-residential	25	25	25
Side (street & interior)			
Residential	10	8	10
Non-residential ⁸	10	10	10
Rear			
Residential	20	20	20
Non-residential ⁸	15	15	15
Waterfront ⁹	30	30	30
BUILDING HEIGHT			
Maximum (ft.)	35	35	35

³ For commercial properties in the Parrish Commercial Village Overlay District, also see Section 403.4. PCV – Parrish Commercial Village Overlay District.

⁴ Shall not exceed 3 units/acre if located within the velocity zone of the coastal high hazard area.

⁵ Minimum lot/acreage lot.

⁶ When two dimensions are given, the second dimension is for corner and end lots.

⁷ Front-loaded garages, detached or attached to a single-family dwelling, and carports require an additional 5-foot front yard setback.

⁸ Twenty-five (25) feet when abutting a residential land use.

⁹ Waterfront setback may be reduced by 5 ft. for platted lots of record and special exception status waterfront lots. Mobile homes and recreational vehicles are exempt from this waterfront setback requirement.

Table 4 - 4. Schedule of Bulk and Dimensional Standards for Agricultural and Residential Districts

	Agricultural		Single Family					Duplex			Multi-Family	
	A	A-1	RSF-1	RSF-2	RSF-3	RSF-4.5	RSF-6	RDD-3	RDD-4.5	RDD-6	RMF-6	RMF-9
DENSITY/INTENSITY												
Max. Residential Density ¹⁰	0.2	1.0	1.0	2.0	3.0	4.5	6.0	3.0	4.5	6.0	6.0	9.0
Max. FAR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0.15	0.15	0.15	0.15	0.15
Min. Open Space (%), Non-residential	N/A	N/A	N/A	N/A	N/A	N/A	N/A	20	20	20	20	20
LOT STANDARDS												
Min. Lot Area (sq. ft.)												
Single Family Detached	217,800 ¹¹	43,560	30,000	15,000	10,000	7,000	6,000	8,000	7,000	6,000	6,000	6,000
Single Family Semi-Detached								4,000 ¹²	4,000 ¹²	3,500	6,000	
Duplex								8,000 ¹²	7,000 ¹²	7,000	7,000	3,000
Single Family Attached ¹³											2,400/ 3,400	2,400/ 3,400
Multi-Family											7,000	10,000
Non-residential uses	217,800	43,560	30,000	15,000	10,000	7,000	6,000	12,000	8,000	7,000	6,000	10,000
Min. Lot Width (ft.)												
Single Family Detached	200	100	100	80	75	70	60	75	70	60	50	50
Single Family Semi-Detached								40 ¹²	40 ¹²	35	50	
Duplex								75 ¹²	70 ¹²	70	100	35
Single Family Attached ¹³											24/34	24/34
Multi-Family											100	100
Non-residential uses	200	100	100	80	75	70	60	75	80	70	50	100
Min. Unit Floor Area (sq. ft.)¹⁴												
Single-Family Detached	850	1,000	1,200	1,200	1,200	1,000	600	1,200	1,000	650	900	900
Mobile Homes	400	400										
Single-Family Semi-Detached								600	600	650	900	
All other residential uses								600	600	650	650	650

¹⁰ Shall not exceed 3 units/acre if located within the velocity zone of the coastal high hazard area.

¹¹ The minimum lot size cannot include wetlands, unless the standards of Section 401.3.B.3 are met.

¹² Lots of record existing prior to 1981 shall contain a minimum of 7,000 square feet and a width of 70 feet to allow a duplex, or 3,500 square feet and 35 feet in width for a single-family semi-detached unit. Side yard setbacks may be reduced to 8 feet. Existing duplexes may be split into semi-detached units provided that these minimum requirements are met.

¹³ When two dimensions are given, the second dimension is for corner and end lots.

¹⁴ Areas within the Whitfield Residential Overlay District are subject to the minimum yards and floor area requirements of Section 403.13.

MINIMUM SETBACKS (ft.)												
Front ¹⁴												
Single-Family Detached	50	50	40	25	25	20 ¹⁵	20 ¹⁵	25	25	25	20 ¹⁷	20 ¹⁷
Single-Family Semi-Detached								25	20 ¹⁵	20 ¹⁵	25	
Duplex								25	20 ¹⁵	25	25	25
Single-Family Attached											25	25
Multi-Family											25 ¹⁶	25 ¹⁶
Other Allowed Uses	50	50	40	25	25	20 ¹⁵	20 ¹⁵	25	25	25	25	25
Side (street and interior):												
Single-Family Detached	10	10	10	10	10	8	8	10	8	8	10	10 ¹⁶
Single-Family Semi-Detached								10 ^{12/15} ₁₇	10 ^{12/15} ¹⁷	8/15 ¹⁷	10/15 ¹ ₆	
Duplex								10	10	8	10	10
Single-Family Attached											10	10
Multi-Family											10	10 ¹⁶
Other Allowed Uses	10	10	10	10	10	8	8	15	15	15	15	10 ¹⁶
Rear												
Single-Family Detached	25 ¹⁸	25	25	25	20	20	20	20	20	20	20	20
Single-Family Semi-Detached								20	20	20	20	
Duplex								20	20	20	20	20
Single-Family Attached											20	20
Multi-Family											25 ¹⁶	25 ¹⁶
Other Allowed Uses	25 ¹⁸	25	25	25	20	20	20	20	20	20	25	25 ¹⁶
Waterfront	30	30	30	30	30	30	30	30	30	30	30	30
BUILDING HEIGHT												
Max. Height	35	35	35	35	35	35	35	35	35	35	35	35

¹⁵ Front-loaded garages, detached or attached to a single-family dwelling, and carports require an additional 5-foot front yard setback.

¹⁶ Increase 10' for each story over 1 where abutting a single family residential district.

¹⁷ Per side/where only one (1) side yard is provided.

¹⁸ 50' for ~~manufactured homes~~ mobile homes.

Table 4 - 5. Schedule of Bulk and Dimensional Standards for Mobile Home Districts

	Mobile Home ¹⁹	
	RSMH-4.5	RSMH-6
DENSITY/INTENSITY		
Max Residential Density ²⁰	4.5	6.0
Max. FAR	0.15	0.15
Min. Project Area (acres)	20	20
MIN. OPEN SPACE (%)		
Residential	20	20
Non-Residential	15	15
LOT STANDARDS		
Min. Lot Area (sq. ft.)		
Single-wide M.H. Site	3,000	3,000
Double-wide M.H. Site	4,000	4,000
Triple-wide M.H. Site	4,750	4,750
Non-residential use	10,000	10,000
Min. Lot Width (ft.)		
Single-wide M.H. Site	40	40
Double-wide M.H. Site	50	50
Triple-wide M.H. Site	60	60
Non-residential use	75	75
MINIMUM SETBACKS (ft.)²¹		
Front	5	5
Side (street & interior)	5	5
Rear	5	5
Waterfront	30	30
MINIMUM BUFFERS (ft.)		
Street/Residential District	50	50
Non-Residential District	15	15
BUILDING HEIGHT (Max) (ft.)		
Residential	15	15
Non-Residential	35	35

¹⁹A Recreation/Stormwater Shelter Building is required in conjunction with all RV and mobile home parks and subdivisions. See Section 511.4.

²⁰ Shall not exceed 3 units/acre if located within the velocity zone of the coastal high hazard area.

²¹All Special Exception status waterfront lots shall meet a twenty-five (25) foot waterfront setback. ~~Manufactured Homes~~ Mobile Homes and Recreational Vehicles are exempt from this waterfront setback requirement. For mobile home parks without recorded lots or lot lines refer to Section 107.7.E.

7. Amendment to **Section 402.8.C and 402.8.D PDMH – Planned Development Mobile Home:**

C. Permitted Accessory Uses and Structures.

Uses and structures which are customarily and clearly incidental to permitted principal uses and structures, shall be permitted. Such accessory uses may include but are not limited to:

1. Non-commercial low intensity recreation facilities.
2. Centralized facilities for park offices, maintenance facilities, dumping stations, toilets, showers and laundry, for the exclusive use of all park residents.
3. Park Manager or caretaker residence of either a mobile home, one-family or two family dwelling with a limit of two (2) dwelling units maximum, for the exclusive residence of the park management or caretaker.
4. Centralized enclosed storage structures and storage garage facilities, with use limited to park residents only. No such structure shall be located within any required yard setback, any required perimeter buffer of the ~~manufactured~~ mobile home development, or any utility or drainage easement.

D. PDMH Standards.

1. *Nature of Surrounding Land Uses.* The nature of surrounding land uses shall be considered in order to ensure that the intensity of the proposed mobile home park will not create external impacts that adversely affect surrounding uses.

The nature of surrounding land uses shall be considered in order to ensure that the intensity of the proposed mobile home park provides, where appropriate, a transition between surrounding uses.

2. *Access.* Available access shall be evaluated in order to ensure that the intensity of the proposed mobile home park will not adversely impede the free flow of traffic on the streets serving the district.
3. *Site Plan Sufficiency.* The proposed site plan shall be evaluated to ensure consistency with the following criteria:
 - a. *Landscaped and Pervious Area Requirements.* At least twenty-five (25) percent of the land area to the district shall be reserved for landscaping and permeable open areas, and shall be improved and maintained accordingly, such areas may include landscaped buffers, vegetated yards, parking area screening, landscaped islands, mulched or vegetated play or seating areas and areas paved with permeable paving blocks. No more than twenty-five (25) percent of the required landscaped and pervious area shall be composed of permeable paving block.
 - b. *Buffers.* Perimeter buffers shall be required along all streets abutting the PDMH and along all other boundaries. There shall be a landscaped buffer strip not less than fifty (50) feet in depth along all streets abutting the PDMH, and a landscaped buffer strip not less than fifteen (15) feet in depth along the other boundaries of the mobile home

park except where such boundaries abut a residentially zoned district or an area designated in the Comprehensive Plan for residential development, the buffer shall be seventy-five (75) feet. Streets shall not be permitted in the landscape buffer, except where providing direct access off-site and in such case shall run perpendicular through buffer. Screening shall be provided as appropriate.

- c. *Dimensional Regulations.* PDMH projects shall be subject to the following dimensional requirements unless other guidelines are specifically approved by the Board:

Minimum Site Area For:	
Single Wide Park Trailer	2,000 1,200 sq. ft.
Single Wide Manufactured Mobile Home	3,000 sq. ft.
Double Wide Manufactured Mobile Home	3,000 sq. ft.
Triple Wide Manufactured Mobile Home	4,750 sq. ft.
Non-residential site	10,000 sq. ft.
Management or caretakers dwelling unit	10,000 sq. ft.
Minimum Width For:	
Single Wide Park Trailer	35 feet
Single Wide Manufactured Mobile Home	40 feet
Double Wide Manufactured Mobile Home	50 feet
Triple Wide Manufactured Mobile Home	60 feet
Non-residential site or dwelling	75 feet
Minimum Yards	5 feet
Minimum Floor Area:	
Single Wide Manufactured Mobile Home	600 sq. ft.
Double Wide Manufactured Mobile Home	850 sq. ft.
Single Wide Park Trailer	375 sq. ft.
Maximum Height:	
Non-Residential	35 feet
Residential	15 feet

8. Amendment to **Section 531.45 Residential Care Facilities:**

Residential Care Facilities (including Assisted Living Facilities, Community Residential Homes, Recovery Homes, and Emergency Shelters.)

9. Amendment to **Section 700.3.A.4.e. Procedure:**

- e. *Septic Fields.* Area for septic fields as required by the ~~HRS/Manatee County Public Health Unit.~~ Florida Department of Health in Manatee County.

10. Amendment to **Section 700.3.I.7. Tree Replacement Alternatives:**

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.	5" 4"	2:1
Over 30" D.B.H.	7" 4"	3:1

11. Amendment to **Section 701.3.D. Residential Street Trees:**

D. Residential Street Trees.

- ~~Prior to C.O.,~~ 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 100 feet of frontage or greater. When proposed lots have less than 100 feet of frontage, street trees shall be limited to (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.
- For proposed lots with less than 60 feet of frontage smaller maturing canopy trees or understory trees may be utilized.
- 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.
- Responsibility for installation and initial maintenance is the developer's on all common areas within the project. A notice of R responsibility for the property owner's installation and maintenance of the trees shall be drafted in a notice recorded in the public records. ~~placed within the Homeowner's Documents and/or Deed Restrictions governing the development. Such trees shall be installed prior to Certificate of Occupancy for each individual unit.~~

12. Amendment to **Section 800.8.C. Lot Requirements:**

- C. Shape.** Generally, side lot lines shall be as close as practical to right angles with the right-of-way street line. ~~In no case shall the~~ If the side lot line deviates more than twenty two and one-half (22.5) degrees from the side lot line drawn perpendicular to the street ~~line~~ right-of-way or radial to curving street ~~lines~~ right-of-way for a minimum distance of hundred (100) feet from the right-of-way line, the County shall be provided written confirmation that the deviation will

not affect public safety or access for residences from and to the right-of-way.

13. Amendment to **Section 802.6.B.5.b. Floodplain Management Standards:**

B. Specific Standards. The following additional standards shall apply to new and expanded development and new and substantially improved structures:

5. *Multi-Zone Lots.*

- a. If part of the structure is located in the A Zone and the remaining portion is located in the B, C or X Zone, then the entire structure must be elevated to the A Zone required lowest floor elevation and must conform to the standards of this Code and the Manatee County Floodplain Management Code.
- b. If part of a parcel is located in the Floodway, then any structure on the parcel, if within fifty (50) feet of the floodway, must be elevated to the required lowest floor elevation for the floodway and conform to the construction standards for floodways in the Manatee County Floodplain Management Code ~~89-10~~. An applicant may seek relief from this requirement by submitting detailed, engineering data describing any natural features and existing structures which may have a mitigating effect on the hazards of swift flowing waters normally associated with the floodway. All submitted data shall be signed and bear a raised seal affixed by an engineer. This shall be reviewed and the appropriate elevation and construction standards shall be determined by the Department Director. This study shall be done in accordance with procedures and guidelines established by the Federal Emergency Management Agency (F.E.M.A.).

14. Amendment to **Sections 1001.8.G.3 Street and Structure Numbering Standards:**

1001.8 Street and Structure Numbering Standards

G. Commemorative Naming of Street. Streets under the jurisdiction and control of the Board of County Commissioners of Manatee County may be named in honor of distinguished individuals or organizations in accordance with the following procedures:

1. The naming of public streets in honor of individuals or organizations shall be by resolution adopted at a public hearing after publication of notice in the manner required by law for the adoption of county ordinances under Section 125.66(2)(a) F.S.
2. Eligibility requirements for individuals and organizations will be based upon demonstrated integrity, contribution to the community, patriotism and such other criteria as may from time to time be established by the Board.
3. Prior to the public hearing, the County Administrator or designee shall develop a fiscal impact statement and the County Attorney shall review any legal considerations.

15. Amendment to **Sections 1001.8.H.3 Street and Structure Numbering Standards:**

H. Structure Number Assignments.

3. Platted Subdivision and ~~Manufactured~~ Mobile Home Park Assignment.

- a. Lots within a platted subdivision or ~~manufactured~~ mobile home park shall be assigned numbers by the County at the time of submittal and prior to final plat approval by the Board and its recording.
- b. The numbers shall be assigned in the sequence of 2 or 4 digits (1010, 1014, 1018, 1022) depending on the lot size. At the grid line the numbers shall jump accordingly to the next grid sequence. Where a Drive, Terrace, Plaza or Court, Boulevard, [or] Way exist in close proximity to each other, the number sequence shall be assigned so that each street does not begin with the same structure number (6401, 6403, 6405).

16. Amendment to **Section 1005.3.A Number of Vehicular Parking Spaces Required:**

- A. Minimum Parking Requirements.** The minimum required number of off-street parking spaces shall be in accordance with Table 10 – ~~4~~ 2, Parking Ratios. Handicap parking spaces shall be provided in accordance with F.S § 316.1955, the Americans with Disabilities Act and shall be counted as part of the total parking space requirement.

Table 10 - 1: Parking Ratios

17. Amendment to **Section 1102.1.C Fee Obligation:**

C. Time Fees Paid. The Impact Fees shall be paid to the County Impact Fee Administrator:

1. At time of issuance of a Building Permit for additions/renovations and ~~manufactured~~ mobile home replacements (should there be an increase in the number of bedrooms); or
2. Prior to Final Plan Approval or its functional equivalent where no Building Permit is required (e.g., "AP," "FSP," etc.); or
3. Prior to installation of the required improvements release by the Department Director for recreational vehicle parks; or
4. Prior to Administrative Permit approval for golf courses; or
5. Prior to issuance of a Certificate of Occupancy or Certificate of Completion (as the case may be), for all other development and for an Independent Impact Analysis (Section 1102.3.E); or
6. At an earlier stage of development if required by a condition of a planned development approval or pursuant to either a Pre-Payment of Impact Fees (Section 1102.1.H) or a Fee Agreement (Section 1102.1.I).