

PA(EAR)-97-15 (ORDINANCE 97-15)Manatee County Government Amendment to the Future Land Use Map of the Future Land Use Element of the Manatee County Comprehensive Plan

Request: Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, the Manatee County Comprehensive Plan; providing for an amendment to the Future Land Use Map (Sheets 7, 8, 9, 14, 15, 16, 19, 20, 21, and 22) to adjust the boundaries of the Watershed Overlay District for consistency with best available data, consisting of 116,189.33 acres; providing for severability; and providing for an effective date.

P.C.:	05/29/97, 06/05/97, 06/12/97, 06/26/97, 07/10/97	B.O.C.C.:	06/24/97, 07/22/97, 07/29/97, 08/05/97, 01/27/98, 02/17/98, 02/24/98
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App. Rec.: N/A

Type of Amendment: Future Land Use Map (Sheets 7, 8, 9, 14, 15, 16, 19, 20, 21, and 22)

RECOMMENDED MOTION:

Based upon the evidence presented, comments made at the Public Hearing, the action of the Planning Commission, upon the technical support documents, the Evaluation and Appraisal Report, finding the request to be **CONSISTENT** with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, I move to **ADOPT** Manatee County Ordinance 97-15 (Plan Amendment PA(EAR)-97-15).

RESPONSE TO STATE COMMENTS:

In the October 17, 1997, Objections, Recommendations and Comments Report, there were no objections, recommendations or comments for this amendment.

PLANNING COMMISSION ACTION:

On July 10, 1997, by a vote of 4-0, the Planning Commission recommended **ADOPTION** of Manatee County Ordinance 97-15 (Plan Amendment PA(EAR)-97-15) - Watershed Boundaries Update.

BOARD OF COUNTY COMMISSIONER'S ACTION:

On June 24, 1997, by a vote of 5-0, the Board of County Commissioners **CONTINUED** the public hearing for this ordinance to July 22, 1997.

On July 29, 1997, by a vote of 7-0, the Board of County Commissioners **CONTINUED** the public hearing for this ordinance to August 5, 1997.

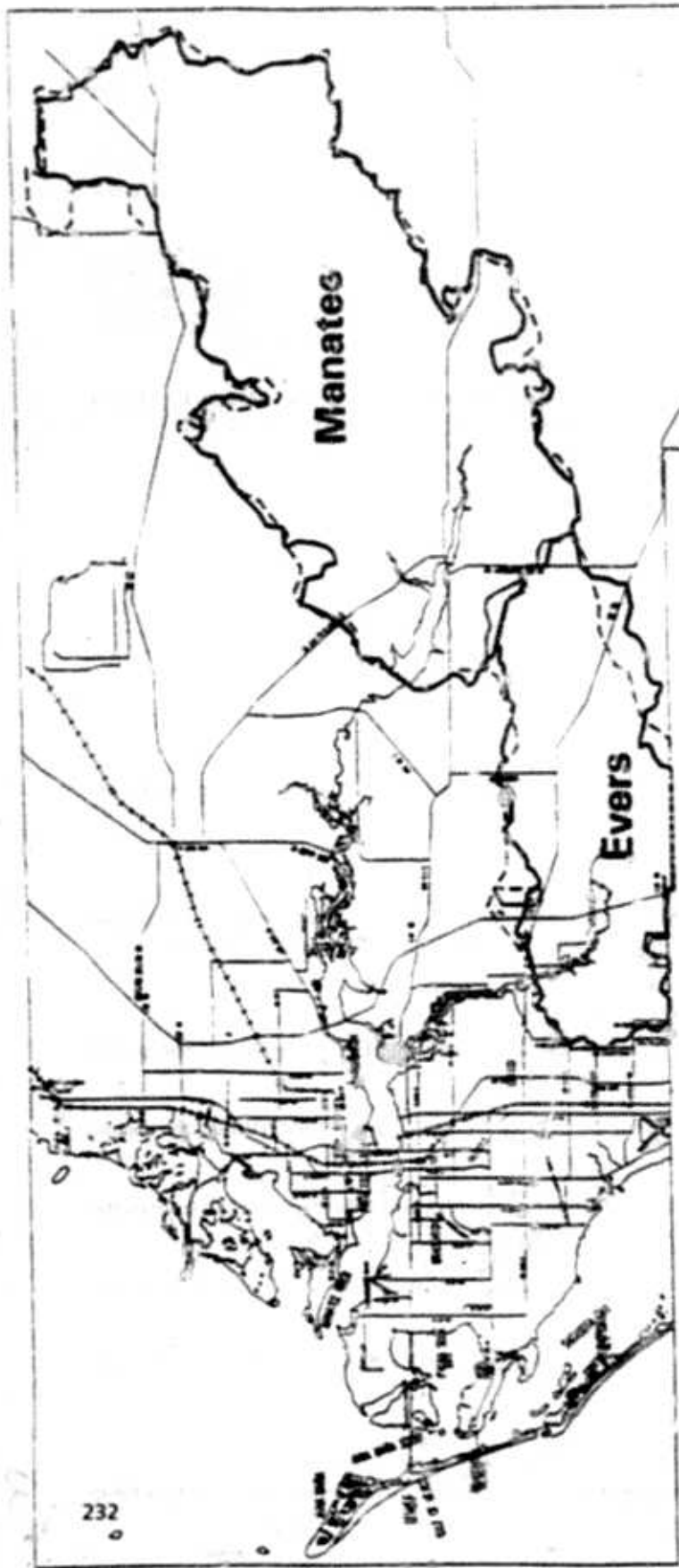
On August 5, 1997, by a vote of 7-0, the Board of County Commissioners **APPROVED** the transmittal of this ordinance to the Department of Community Affairs.

On January 27, 1998, by a vote of 5-0, the Board of County Commissioners **CONTINUED** the public hearing for this ordinance to February 17, 1998.

On February 17, 1998, by a vote of 7-0, the Board of County Commissioners **CONTINUED** the public hearing for this ordinance to February 24, 1998.

PUBLIC HEARING COMMENTS/CORRESPONDENCE:

There was no public comment at any of the public hearings, and no correspondence was entered into the record.



Proposed Watershed Comparison

Manatee County, FL.



SCALE 1:25000



FEET



This map was developed by the Planning Department of Manatee County, Florida, in cooperation with the staff of Manatee County, FL and the staff of the Florida Department of Natural Resources. It is provided for general information only. It is not intended for use as a legal document.

May 20, 1987

Legend

- Proposed Evers Reservoir Watershed
- Proposed Lake Manatee Watershed
- Existing Evers Reservoir Watershed
- Existing Lake Manatee Watershed

Municipal Areas

DRAFT

The information shown on this map is for informational purposes only. It is not intended to be used as a legal document. It is subject to change without notice.

The Proposed Lake Manatee Watershed is 22,921.83 Acres
 The Proposed Evers Reservoir Watershed is 22,002.00 Acres
 The Existing Lake Manatee Watershed is 45,336.88 Acres
 The Existing Evers Reservoir Watershed is 31,840.87 Acres

PLAN AMENDMENT SUMMARY SHEET

NAME: Manatee County Government amendment to the Future Land Use Map of the Future Land Use Element of the Manatee County Comprehensive Plan.

APPLICANT: Manatee County

CASE NO.: PA(EAR)-97-15
ORDINANCE 97-15

REQUEST: Approval of an amendment to the Future Land Use Map (Sheets 7, 8, 9, 14, 15, 16, 19, 20, 21, and 22) of the Future Land Use Element of the Comprehensive Plan amending the boundaries of the Lake Manatee and Evers Reservoir Watershed Overlay District (WO).

**STAFF
RECOMMENDS:** Approval

REQUEST, LOCATIONAL INFORMATION AND LAND USE CHARACTERISTICS

- The request for a plan amendment for addition of the WO (Watershed Overlay) in some areas of the County and for elimination of the WO in other areas to bring the watershed boundaries on the Future Land Use Map into conformance with best available data from the Southwest Florida Water Management District (SWFWMD).
- This amendment may impact a number of parcels by adjusting the watershed boundary lines. Overall mapped acreage for both watersheds is proposed to change from 116,189.33 currently mapped acres to 113,176.51 proposed mapped acres. A few watershed acreage that should have been identified within the watershed when the Comprehensive Plan was adopted but was not included within the WO-E or WO-M in the current Plan may now be included.

SUMMARY:

At the time of adoption of the Comprehensive Plan in 1989, watershed boundaries were identified using the best available data.

It was apparent soon after adoption of the Comprehensive Plan that the currently mapped watershed boundaries are not entirely accurate. To ensure that the current

WO-E and WO-M (Watershed Overlay-Evers Reservoir and Watershed Overlay-Lake Manatee) are fairly and correctly applied, policies have been adopted in the Comprehensive Plan to allow the Public Works Department to review on a case-by-case basis, hydrological studies submitted by applicants to determine if a particular parcel is part of the actual watershed. These policies also allow administrative adjustment of the official zoning atlas to adjust watershed boundaries based on approved studies. (Policies 2.2.2.2.4(c) and 2.2.2.3.4(c))

This plan amendment will adjust the watershed boundaries on the Future Land Use Map series consistent with the boundaries established by the SWFWMD. In order to ensure exact boundaries for the watershed, the entire boundary would have to be groundtruthed. As this is not financially or physically feasible, a policy for individual review will be retained in the Plan.

As part of the effort to eliminate unnecessary verbiage in the Comprehensive Plan, separate text amendments to the Plan, contained in PA-97-01, propose to combine the current two watershed overlays, the WO-E and WO-M into one overlay, the WO. Individual potable watersheds are spelled out in the text when differentiation is required. The new watershed boundaries around both watersheds will be known as the WO (Watershed Overlay) boundaries.

POSITIVE ASPECTS OF THE APPLICATION

- The proposed plan amendment may:
 - by using best available data, reduce the number of hydrologic studies submitted for boundary interpretation, saving staff review time and reducing the costs to applicants;
 - facilitate better coordination with the SWFWMD and other agencies which use SWFWMD data in dealing with watershed issues;
 - allow for more accurate planning in the watershed.

NEGATIVE ASPECTS OF THE APPLICATION

- Persons owning parcels that are not now mapped as being within the watershed may find that the WO district now applies to their properties. Although, the provisions of the appropriate watershed district should have applied in the existing comprehensive plan based on the watershed overlay district definitions.

PLAN AMENDMENT DETAILED REVIEW

ANALYSIS:

1. General Information

The current watershed overlay districts encompass approximately 113,176.51 acres. The revised overlay will encompass 116,189.33 acres.

2. Site and Vicinity Characteristics

The majority of the Lake Manatee watershed lands are located in the Ag/R (Agricultural/Rural) and CON (Conservation) Future Land Use Categories and exhibit a rural pattern of development.

The Evers Reservoir watershed lands are more typically located in developing suburban areas consisting of a variety of housing types and commercial development. Most common Future Land Use Categories in the Evers Reservoir watershed are RES-6, RES-3, and UF-3 (Residential-6 du/ac, Residential-3 du/ac, and Urban Fringe-3 du/ac).

3. Existing Land Use and Zoning

The Lake Manatee watershed overlay lies outside of the Future Development Area Boundary (FDAB). Land use in the Lake Manatee watershed is mostly agricultural, including crops and rangeland. Zoning is predominately A (Agricultural) with some areas of CON (Conservation).

Lying entirely within the FDAB, the Evers Reservoir watershed is more urbanized than the Lake Manatee watershed. The Evers Reservoir watershed is developed with a mixture of residential, institutional, and commercial uses. Zoning includes a broad variety of zoning designations. As this amendment will have no effect on the zoning of various properties within the watersheds, specific zoning categories are not listed.

4. Reason for the Requested Amendment

The request to amend the Future Land Use Map Watershed Overlay boundaries to use the best available data is consistent with other agencies and with good intergovernmental coordination. The updated data represents a change in circumstances since time of adoption since SWFWMD data was not available at that time.

5. Consistency With the Comprehensive Plan

The proposed amendment is consistent with the following sections of the Comprehensive Plan:

Chapter 1, Section 3.B.3.2.

Chapter 1, Section 3.B.4

2.2.2.2.1

2.2.2.3.1

ATTACHMENTS:

1. Consistency with State Comprehensive Plan

CONSISTENCY OF THE LOCAL COMPREHENSIVE
PLAN AMENDMENT WITH THE STATE
COMPREHENSIVE PLAN

NOTE: All State goals and policies taken from Chapter 187.201, Florida Statutes.

PA(EAR)-97-15 (Manatee County Ordinance 97-15)

The proposed amendment is consistent with the following goals
and policies of the State Comprehensive Plan:

Chapter 187.201(8)(b)4
& 187.201(8)(b)9

ATTACHMENT #1

MONITORING CODE CORPORATION
Customer Services
PO Box 2225
Tallahassee, FL 32316-2225

Supplement 12

03/23/98

We have provided the following material.
Thank you for your assistance and cooperation.

Ordinance Nos. 97-01, 97-15, 97-17 and 97-19.

1-800-282-2533 (Nationally)

LSA

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