

PA(EAR)-97-17 (ORDINANCE 97-17)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 4, 5, 6, 7, 11, 12, 18, 14, 15, 16, 18, 19, 20, 21, 22, 23, and 24) to add the location of public supply wells and wellhead protection areas within unincorporated Manatee County, providing for severability, and providing for an effective date.

P.C.: 05/29/97, 06/05/97
06/12/97, 06/28/97
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

App. Rec.: N/A

Type of Amendment: Future Land Use Map
(Sheets 4, 5, 6, 7, 11, 12,
13, 14, 15, 16, 18, 19, 20,
21, 22, 23, and 24)

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 97-17 (Plan Amendment PA(EAR)-97-17).

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 97-17 (Plan Amendment PA(EAR)-97-17 - Wellhead Protection Map).

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.

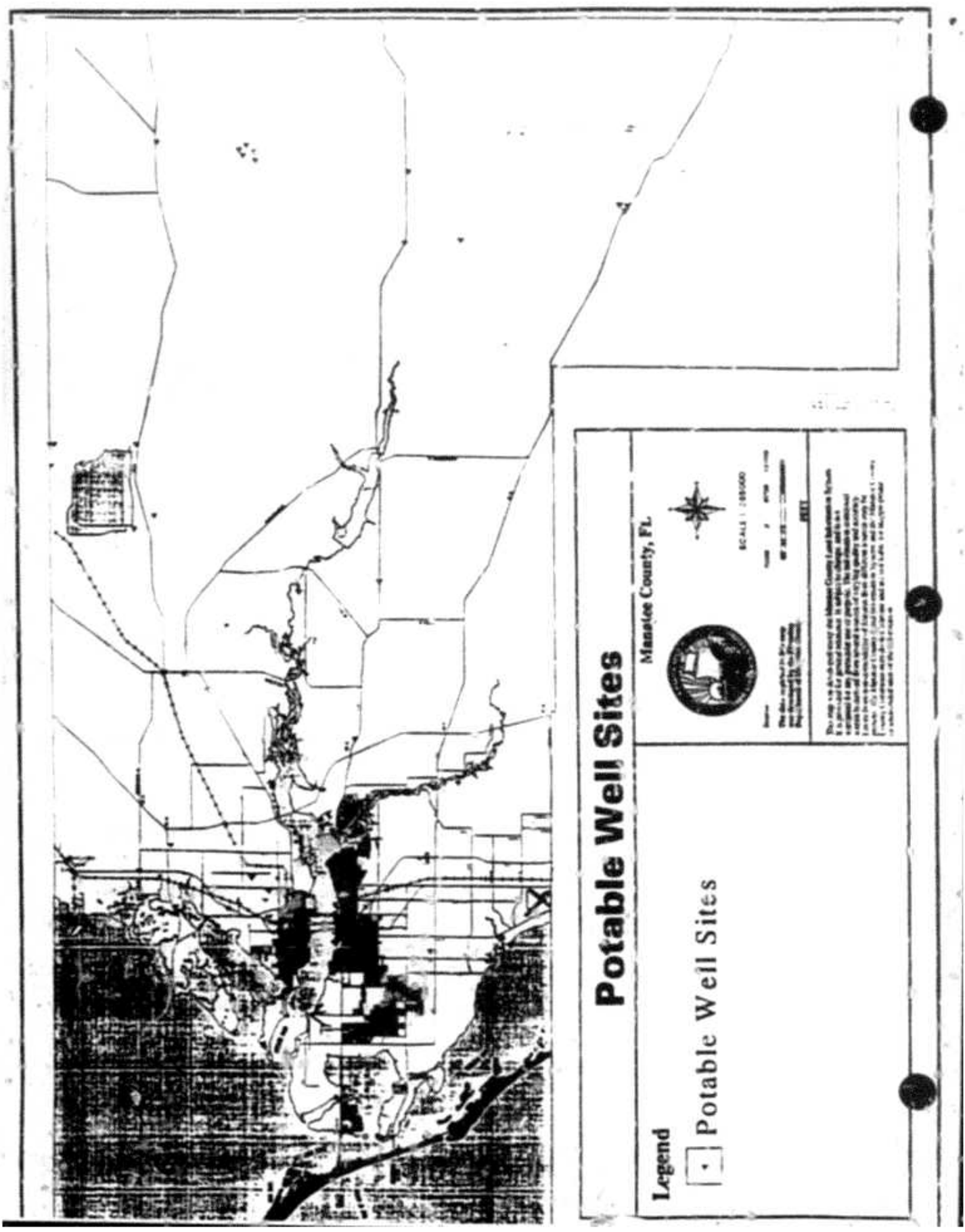
On August 5, 1997, by a vote of 7-0, the Board of County Commissioners APPROVED the transmittal of this ordinance to the Department of Community Affairs.

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.



Potable Well Sites

Manatee County, FL



SCALE: 1:20,000

DATE: 7/27/98
 BY: [Signature]
 PROJECT: [Signature]

FEET

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Legend

• Potable Well Sites

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)-97-17
ORDINANCE 97-17

REQUEST: Approval of an amendment to the Future Land Use Map (Sheets 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, and 24) of the Future Land Use Element of the Comprehensive Plan to add the location of public supply wells and wellhead protection zones.

**STAFF
RECOMMENDS:** Approval

REQUEST, LOCATIONAL INFORMATION AND LAND USE CHARACTERISTICS

- The request for a plan amendment to add the location of forty-one (41) public potable waterwells and wellhead protection areas to the Future Land Use Map series, consistent with 9J-5.006(1)(a)1, Florida Administrative Code.
- The wells identified are currently operational. No new wells are anticipated at this time.

SUMMARY:

The Florida legislature, in 1994, adopted changes to state 9J-5 legislation, the statutes that list requirements for inclusion in local Comprehensive Plans. This change included a new requirement (9J-5.006(1)(a)1) that all public potable water wells and wellhead protection zones be mapped and protected from incompatible uses. This map amendment satisfies the requirements for mapping. Text amendments recognizing wellhead protection zones and setting compatibility standards are being separately processed in PA-97-01 (Ord. 97-01).

POSITIVE ASPECTS OF THE APPLICATION

- The proposed plan amendment may:
 - Facilitate protection of public supply wells by providing easier identification.
 - Guide new development adjacent to public supply wells to ensure compatibility.
 - Protect water quality in public supply wells through land use controls.
 - Fulfill the requirements of section 9J-5.006(1)(a)1, Florida Administrative Code.

NEGATIVE ASPECTS OF THE APPLICATION

- The proposed plan amendment may:
 - Prohibit some uses from locating within zones of protection of potable water wells.

PLAN AMENDMENT DETAILED REVIEW

ANALYSIS:

1. General Information

Public supply wells are scattered throughout the County and serve a number of residential, commercial, and institutional uses. The state now requires that these wells be protected from adjacent uses which, due to their character, have the potential for pollution of these potable water wells.

2. Site and Vicinity Characteristics

Site characteristics vary, although most wells are in areas where potable water lines are not available. The public supply wells in areas where potable water lines are available are operating from permits which were issued prior to potable water line availability.

Five of the wellhead protection areas represent the Manatee County public supply wells located in Duette Park, five wells serve various users in Parrish, two wells serve Myakka City users and the Myakka City school, one serves the school in Duette, one is owned by the City of Bradenton, and other wells serve churches, RV parks and camps, and various commercial uses.

3. Reason for Requested Amendment

The request is for an amendment to the Future Land Use Map series to include the location of public supply wells and wellhead protection areas to protect the water quality of these wells through proper land use controls. This change is requested due to a change in circumstances in the form of a legislative change to 9J-5.006(1)(a)1, which now requires that public potable waterwells and wellhead protection areas be mapped. The proposed mapping includes the location of each public supply well and two protection zones. The primary protection zone extends in a 200 foot radius from the wellhead location and the secondary protection zone extends in a 1000 foot radius from the wellhead. Specific land use requirements for development within these zones will be addressed in text amendments to the Comprehensive Plan to be included in PA-97-01.

The language proposed in PA-97-01 is nearly identical to the language for wellhead protection which was adopted in the Land Development Code, section 738. The policies are added not because the County has not been protecting wellheads, but

because the 1994 9J-5 legislation requires that mapping and wellhead protection policies be included in the Comprehensive Plan.

4. Comprehensive Plan Consistency

The requested amendment is consistent with the following Comprehensive Plan sections:

Chapter 1, Section 3.B.3.2
Chapter 1, Section 3.B.4.

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)-97-17 (Manatee County Ordinance 97-17)

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

Chapter 187.201 (8)(b)5
& 187.201 (8)(b)10

Multi-Pass Light Construction
Customer Services
PO Box 2225
Tallahassee, FL 32316-2225

Supplement 12 07/23/98

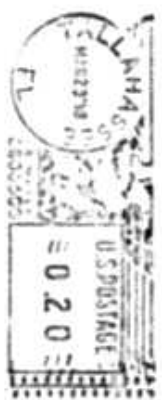
We have received the following material.
Thank you for your attention and cooperation.

Ordinance No. 97-01, 97-15, 97-17 and 97-19,

1-800-262-5533 (National) 15A

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Princeton, FL 32069-1006
