

B.O.C.C. 03/27/01

PA-01-06 - (ORDINANCE 01-06)

County Initiated Text Amendment for oversights, clarification and name updates.

Request: Approval of text amendment to update portions of the Comprehensive Plan text due to oversights, department/agency name changes, clarification and for consistency.

P.C.: 03/08/01

B.O.C.C.:

03/27/01

APP. REC.:

TYPE OF AMENDMENT: Text

**RECOMMENDED MOTION:**

**Based upon the evidence presented, comments made at the Public Hearing, the technical support documents, the action of the Planning Commission, and finding the request to be CONSISTENT with the provisions of Chapter 163, Florida Statutes, Chapter 9J-5, Florida Administrative Code, and the Manatee County Comprehensive Plan, I move to TRANSMIT Plan Amendment PA-01-06.**

**PLANNING COMMISSION ACTION:**

**On March 8, 2001, by a vote of 7 - 0, the Planning Commission recommended TRANSMITTAL of PA-01-06.**

**PUBLIC COMMENT/CORRESPONDENCE:**

**There was no public comment and no correspondence was entered into the record for this case at the March 8, 2001 Planning Commission public hearing.**

## PLAN AMENDMENT SUMMARY SHEET

**NAME:** County Initiated/Text Amendment for oversights, clarifications and name updates

**CASE NO.:** PA-01-06  
ORDINANCE 01-06

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### SUMMARY

**REQUEST:** To update, correct or delete portions of the Comprehensive Plan text due to oversights, department/agency name changes, clarification and for consistency.

### PLAN AMENDMENT DETAILED REVIEW

**DISCUSSION:** The updates/corrections are minor in nature. References to policies, sections and department/agency names have been corrected where applicable. Boat dock limitation has been clarified. Language has been added to clarify that hurricane evacuation zones are updated on a periodic basis. Text has been corrected for consistency with existing policy regarding redevelopment in the FEMA Velocity Zone.

#### I. Amend Department and Agency names where applicable

Planning, Permitting & Inspections Department to Planning Department

Florida Game and Fresh Water Fish Commission to Florida Fish and Wildlife Conservation Commission

Community Affairs and Intergovernmental Relations Department to Community Services Department

#### INTRODUCTION ELEMENT

## Section C

### C.2.1.3 Other Rules of Plan Interpretation.

#### (g) Board; Commissions; Officials

The terms "Board of County Commissioners," "Planning Commission," "County Administrator," and other similar offices shall mean the respective boards, commissions, and officers of the County of Manatee and their authorized agents. The use of the term "County Commission" or the abbreviation "BOCC" shall always mean the Board of County Commissioners; the use of the term "Planning; ~~Permitting and Inspections~~ Department" shall mean the Director of the Planning; ~~Permitting and Inspections~~ Department, and his authorized agents.

### C.2.4 Corrections

Where a designation on the Future Land Use Map has been erroneously labeled or located, or the text has been erroneously printed, and records at the Planning; ~~Permitting and Inspections~~ Department, or Board Records can be produced to verify that such a mapping, labeling or printing error has been made, the Manatee County Board of County Commissioners shall correct the errors or omissions by resolution or ordinance.

### C.2.5 Plan Variance

- (d) A development order or right determined to be "vested" pursuant to a "Vested Rights Determination" of the Board of County Commissioners after the presentation to the Board of County Commissioners of evidence in a public hearing relating to that property In order for the Board of County Commissioners to issue a "Vested Rights Determination", the property owner must establish that he acted in good faith and in reasonable reliance upon some act or omission of the County and has made such a substantial change in position or has incurred such extensive obligation and expenses that it would be highly inequitable and unjust to destroy the rights he has acquired. A land use designation in a prior Comprehensive Plan, or a zoning ordinance is not sufficient to constitute an act or omission of the County. The Board of County Commissioners shall examine, consider and apply the treatment of similar cases by Florida courts in making its Vested Rights Determination, which shall address the extent of the vested rights, if any. In making its decision, the Board of County Commissioners shall consider the recommendations of the

County Attorney's Office. Such recommendations shall be required for all vested rights determinations, after considering input and recommendations that may be made by the Planning, ~~Permitting and Inspections~~ Department. Any person, who claims that he has vested rights must file an application for a Vested Rights Determination by June 30, 1990. Such applications not filed by June 30, 1990 shall not be accepted or reviewed and any such rights claimed after said date shall be irrevocably waived and abandoned. Vested Rights Determinations shall be deemed to be an action taken on a development order and shall be subject to challenge in the manner provided in § 163.3215, Florida Statutes.

## Section E

### E.1.1. Purpose of Public Participation Procedures

These public participation procedures are developed to meet the requirements of § 163.3181, Florida Statutes (F.S.), and Section Rule 9J-5.005, Florida Administrative Code (F.A.C.). These sections of the state law and rules require the adoption of a public participation program in order to facilitate adequate and continuing public input, to ensure consideration of public comments submitted, and to provide real property owners with notice of all official actions which will regulate the use of their property.

The purpose of these Public Participation Procedures (PPP) are to provide Manatee County and all interested parties with a description of the various mechanisms by which all functions required of this PPP (by state law and rules), and described above, will be achieved throughout the process of periodic revisions to, or the consideration of proposed amendments to, this Comprehensive Plan. As utilized throughout this section, "revision" of the Comprehensive Plan shall mean any changes to the Comprehensive Plan proposed or adopted as a result of the periodic reevaluation of the entire Comprehensive Plan as required by § 163.3191, F.S. (see General Data Section of the Technical Support Document). "Amendment" of the Comprehensive Plan shall mean those changes to the Comprehensive Plan which may be considered, or are proposed or adopted on a more regular basis, as specified under § 163.3187, F.S. These procedures do not, however, provide all details regarding opportunities for public comment and input and other public participation mechanisms. For example, the dates on which public hearings and workshops will be held are published only when revisions or amendments are being reviewed. To secure additional information on the dates of public events, and on other aspects of participation in the plan revision process, the staff of the Comprehensive Planning Section of the Manatee County Planning, ~~Permitting and~~

~~Inspections~~ Department should be contacted at the following address or telephone number, or other address or telephone number listed in a current reference source (e.g., phone book):

Manatee County Planning Department  
1112 Manatee Avenue West - 4th Floor  
Bradenton, Florida 34205  
(941) 749-3070

#### E.2.1 Location of Documents and Maps on Proposed Revisions or Amendments

In keeping with the requirements of state law for the broad dissemination of proposals, to provide for communications programs, to provide for information services, and to release information at regular intervals during the planning process, documents will be published during any plan revision or amendment process and will be located, as follows, for viewing by the public. All draft and final Comprehensive Plan or support documents scheduled for discussion or presentation at public workshops or hearings will be provided for public examination at the Manatee County Planning, ~~Permitting and Inspections~~ Department. During any plan revision process all draft and final Comprehensive Plan and support documents will also be available at the Manatee County Central Library for public examination. Where products are not readily reproduced (e.g., certain maps), a notice shall be placed at the library to inform members of the public that a copy is available at the Manatee County Planning, ~~Permitting and Inspections~~ Department for review by the public.

##### E.2.2.1 Meetings

Each meeting of the Planning Commission (PC), of the Board of County Commissioners (BOCC), or of these bodies held jointly, shall be conducted in a manner so as to constitute a presentation of the alternatives, recommendations, and proposals being considered in the plan revision or amendment process to the general public.

Whereas the opportunity for public comment at any workshop of the Planning Commission and the Board of County Commissioners may be provided at the discretion of the Planning Commission and the Board of County Commissioners, the public shall be permitted to address the Planning Commission and the Board of County Commissioners at public hearings held by these bodies. However, whether or not the opportunity is provided for public comment at a meeting or workshop, staff of the Manatee County Planning, ~~Permitting and Inspections~~ Department shall be available at all workshops/meetings to record and provide informal responses to public

comments, inquiries or requests, including any proposals or objections. For any plan revision, an official record of public comments, inquiries, or requests may be made at the request of the party making such recommendation of comment, using forms provided by Manatee County for that purpose. An official response to each such public comment, request or inquiry may also be recorded on the form.

#### E.2.2.2 Personal

During the course of any plan revision or plan amendment process, any person representing him or herself, or representing a property owner or organization in Manatee County may present comments, requests, or inquiries through the staff of the Comprehensive Planning Section of the Manatee County Planning, ~~Permitting and Inspections~~ Department. This opportunity for personal comment and requests from members of the public outside of scheduled workshops and hearings is provided to facilitate the receipt and consideration of written comments from the public, and to facilitate the County's response to such comments. During the plan revision process, comments, inquiries, and requests received from persons may also be recorded, at the request of the person making such recommendation or comment, on forms provided by Manatee County for this purpose. A response to each comment, inquiry, or request may also be recorded on each form.

#### E.2.3.1 Methods

Any interested person may submit an inquiry, comment, or request by any one or more of the following means:

- \* By telephone conversation with a member of staff of the Comprehensive Planning Section of the Manatee County Planning, ~~Permitting and Inspections~~ Department at (813 941) 749-3070, Fax (941) 749-3071.

#### E.3.1 Requirements for Public Notice

Various workshops and public hearings are to be conducted during any Comprehensive Plan revision or amendment process, and the Manatee County Planning, ~~Permitting and Inspections~~ Department will provide appropriate public notice for each such workshop and hearing. For each public workshop or hearing of the Local Planning Agency (LPA) and the Board of County Commissioners (BOCC) on proposed amendments or revisions to the Comprehensive Plan, the following procedures for public notice for the workshop or hearing will be followed. Additional public notice

procedures may be followed where appropriate.

E.3.1.1 Optional Public Notice - LPA Public Workshops and Board of County Commissioners Public Workshop on Revisions

To include if noticed:

- \* Newspaper Advertisements: Shall be published in one or more standard size newspapers of general circulation (see § 163.3164(15), F.S.) in unincorporated Manatee County, of one or more advertisements.

Furthermore, each of the newspaper advertisements shall contain, at a minimum, the following information:

- \* A statement indicating that the workshop is being held in connection with activities concerning the revision or amendment of the comprehensive plan for unincorporated Manatee County.
- \* A statement of the date, time and place of the public workshop, and the address and telephone number of the Comprehensive Planning Section of the Manatee County Planning, ~~Permitting and Inspections~~ Department to be contacted for additional information, or for submittal of comments for consideration.

E.3.1.2 Public Notice - LPA Public Hearings on Plan Revisions

To include:

- \* Mailed Notices for General Purposes: Transmittal, by first class mail, and by the Manatee County Planning, ~~Permitting and Inspections~~ Department, of a notice for the public hearing to all individuals, organizations, and businesses whose names and addresses appear on the "Comprehensive Plan Notification Mailing List" currently maintained by the Manatee County Planning, ~~Permitting and Inspections~~ Department. Such mailed notice will contain information on the date, time, and place of the hearing. The mailed notice will also indicate the Commission conducting the hearing, and will describe the general purpose of the hearing. The mailed notice shall also contain the address and telephone number of the Comprehensive Planning Section of the Manatee County Planning, ~~Permitting and Inspections~~ Department to be contacted for additional

information, or for submittal of comments for consideration. Mailed notices will be transmitted at least five (5) days prior to the date of the hearing.

### E.3.1.3 Public Notice - LPA Public Hearings on Plan Amendments

To include:

- \* Mailed Notices to Property Owners: The mailing of notices, when applicable, to all owners of real property located within any area proposed for change on the Future Land Use Map, excluding any property owner submitting the request for amendment of the Map. These notices shall be mailed no later than ten (10) days prior to the hearing date, to the owner identified by reference to the latest available ad valorem tax records. These notices shall include information describing the nature of the proposed change, identifying the public hearing as being conducted by the Local Planning Agency (Name) and that such hearing is required by state law, identifying the date and location of the public hearing, and containing an address and telephone number of the appropriate section of the Planning; ~~Permitting and Inspections~~ Department to be contacted for additional information, or for submittal of comments for consideration. These notices may also serve as the notices required by 5.a) below.

## DEFINITIONS ELEMENT

**Arterial Road (Arterial)** - A route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. The primary purpose of arterials is to provide service to major traffic movements; access to abutting property is a subordinate purpose. An arterial street (or road) is also typically characterized by restricted parking, access control, signals at important intersections and stop signs on the side streets, and typically distributes traffic to and from collector streets or roadways. Arterial roads shall also be consistent with the definition of "Arterial Road" contained in Rule 9J-5.003(6), Florida Administrative Code. Existing roads classified as Arterial are indicated on the adopted Roadway Functional Classification Map. Roads which are built or proposed subsequent to the adoption of the Comprehensive Plan shall be initially classified as Arterial only by action of the Manatee County Department of Planning, ~~Permitting and Inspections~~, following a recommendation from the Manatee County Department of Public Works. Any such classification shall occur prior to the road being indicated on the Roadway Functional Classification Map as an Arterial. Any such added Arterial shall be subject to final functional classification by the Florida Department of Transportation periodically, pursuant to procedures identified in Rule 14-12, Florida Administrative Code.



**Collector Road (Collector)** - A route providing service which is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Traffic movement is a priority but there is a higher degree of land access than with an arterial road, allowing such a route to collect and distribute traffic between local roads or arterial roads and serve as a linkage between land access and mobility needs. A collector street (or road) is also one which typically collects traffic from local streets and which generally connects with Arterials, as defined herein. Collectors shall also be consistent with the definition of "Collector Road" contained in Rule 9J-5.003(15), Florida Administrative Code. Existing roadways classified as Collector are indicated on the adopted Roadway Functional Classification Map. Roads which are built or proposed subsequent to the adoption of the Comprehensive Plan shall be initially classified as Collector only by action of the Manatee County Department of Planning, ~~Permitting and Inspections~~, following a recommendation from the Manatee County Department of Public Works. Any such classification shall occur prior to the road being indicated on the Roadway Functional Classification Map as a Collector. Any such added Collector shall be subject to final functional classification by the Florida Department of Transportation periodically, pursuant to procedures identified in Rule 14-12, Florida Administrative Code.

**Endangered and Threatened Species** - Flora and fauna as identified by the U.S. Fish and Wildlife Service's "List of Endangered and Threatened Wildlife and Plants" in 50 CFR 17.11-12; Flora as identified by the Department of Agriculture and Consumer Services as specified by the preservation of Native Flora Act in Section 581.185-187 F.S. and fauna identified by the ~~Florida Game and Fresh Water Fish Commission~~ Florida Fish and Wildlife Conservation Commission in ~~Section~~ Rules 39-27.003 and 39-27.004, F.A.C. Endangered Species are so designated due to man made or natural factors which have placed them in imminent danger of extinction while threatened species are so designated due to a rapid decline in number and/or habitat such that they may likely become endangered without corrective action.

**Environmental Director.** The Director of the Environmental ~~Action Commission~~ Management Department in Manatee County or his/her designee.

**Environmentally Sensitive** - Lands which, by virtue of some qualifying environmental characteristic are regulated by the Florida Department of Environmental Protection, the Southwest Florida Water Management District, the U.S. Fish and Wildlife Service, the ~~Florida Department of Game and Freshwater Fish~~, Florida Fish and Wildlife Conservation Commission, the U.S. Army Corps of Engineers, or any other governmental agency empowered by law for such regulation. Environmentally sensitive also includes all areas of habitat for threatened and endangered species and species of special concern, and includes all of the following vegetative communities: Mangrove swamp; coastal ridge; tidal marshes; seagrass beds; oyster beds; coastal streams; freshwater wetlands (swamps, marshes, sloughs, wet prairies, and heads); hammocks (mesic or xeric); pine prairies (pine flatwoods or dry prairies); scrubs (sand pine, scrubby flatwoods, and turkey oak ridges).

## FUTURE LAND USE ELEMENT

Policy: 2.9.2.2 Regulate the appropriate location of wildlife, classified as Class I or II under Rules adopted to implement Section 372.922, F.S., and poisonous and venomous reptiles as defined in Rules implementing Section 372.86, F.S., to protect and preserve the residential neighborhoods of Manatee County.

### Implementation Mechanism:

- (a) Maintain land development regulations containing requirements for appropriate location, buffering, environmental protection and other land use related aspects of wildlife possession and handling, pursuant to Game and Fresh Water Fish Commission Florida Fish and Wildlife Conservation Commission regulations.

Policy 2.9.2.4 Require all residential development in areas vulnerable to flooding be consistent with policies under Objs 2.3.3 and 4.2.2 4.3.2.

### Implementation Mechanism(s):

- (a) Planning Department review and comment on proposed development requests.
- (b) Identification of vulnerable property by the Departments of Public Safety, Building, and Planning.

## CONSERVATION ELEMENT

Policy: 3.3.2.4 Protect and maintain Species of Special Concern through strategies which consider the numbers and viability of habitat of any such species.

### Implementation Mechanism(s):

- (a) Whenever a significant number of a Species of Special Concern is found during evaluation of a proposed development site as required in policy 3.3.2.3, and the habitat on the project site is determined to be viable, a

Species Management Plan, approved by the Florida ~~Game and Fish Commission~~ Florida Fish and Wildlife Conservation Commission will be developed and utilized as the basis for development order conditions or changes to site design to achieve policy compliance.

Policy: 3.3.2.6 Whenever feasible, restore non-exotic plant communities on public lands, by reforestation and other appropriate activities, to provide suitable wildlife habitat for endangered and threatened plant and animal species.

Implementation Mechanism(s):

- (a) Coordination among the Parks and Recreation Department, Public Works, Environmental Management Department, the Florida ~~Game and Fish Commission~~ Florida Fish and Wildlife Conservation Commission, the Florida Department of Agriculture, the United States Department of Agriculture, and other local, regional, State or Federal agencies to obtain assistance on restoration activities.

Policy: 3.3.2.7 Consider the use of suitable public lands as receiving lands for protected plant and animal species which are proposed for relocation under agency-approved mitigation actions. Any such relocation shall consider the impact of adjacent development or agricultural operations on these species, and shall be consistent with Goal 2.5.

Implementation Mechanism:

- (a) Coordination between the Environmental Management Department, Public Works, the Florida ~~Game and Fish Commission~~ Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection, and the U.S. Fish and Wildlife Service to facilitate appropriate species relocation activities.

Policy: 3.3.3.1 Participate in the development and preservation of natural area greenways which should include wildlife corridors, recreation areas, environmentally sensitive lands, and other cultural and historic resources which may serve the passive recreational needs of residents and visitors.

Implementation Mechanism(s):

- (a) Department of Agriculture and Natural Resources, Planning Department, Public Works Department, and Environmental Management Department coordination with the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the ~~Florida Game and Fish Commission~~ Florida Fish and Wildlife Conservation Commission to achieve policy compliance.

**COASTAL ELEMENT**

Policy: 4.3.2.6 Continue to provide assistance to identified neighborhoods in the Coastal Planning Area which require financial or technical assistance to improve sub-standard housing. (See also Obj. 6.1.4)

Implementation Mechanism:

- (a) ~~Community Affairs and Intergovernmental Relations Services~~ Department to coordinate with state and local agencies to ensure policy compliance.

**MASS TRANSIT SUB-ELEMENT**

Policy: 5.6.1.5 Develop implementation strategies to reduce transit vehicle headways during peak hour periods to improve overall line haul transit services.

Implementation Mechanism:

- (a) Coordinate between ~~Community Affairs Services~~ and Mass Transit Division, Planning, and Transportation Departments to develop implementation strategies.

**HOUSING ELEMENT**

Policy: 6.1.2.1 Continue data collection to properly understand the housing market for special needs populations.

Implementation Mechanism(s):

- (a) Coordination between the ~~Community Affairs~~ Services

and Planning Departments regarding data collection and sharing.

- (b) Planning and Community ~~Affairs~~ Services Departments review and use of data from the University of Florida's Shimberg Center regarding special needs housing populations.

Policy: 6.1.2.4 Provide safeguards to ensure that rural farmworker housing needs are addressed.

Implementation Mechanism(s):

- (a) Maintain Land Development Regulations which:

- define farmworker housing,
- establish farmworker housing as a permitted use in certain zoning districts,
- establishes minimum yards and buffers,
- establishes maximum density requirements in excess of the maximum density shown on the Future Land Use Map,
- establishes provisions to ensure that adequate sewage disposal and water supply systems are provided in compliance with applicable federal, state and local regulations.

- (b) Coordination between the Departments of ~~Community Affairs~~, Planning, Community Services and the state Health Department.

Policy: 6.1.2.5 Provide opportunity for the development of emergency transitional housing.

Implementation Mechanism(s):

- (a) Coordination between the Departments of ~~Community Affairs~~, Community Services, and Planning.

Policy: 6.1.3.1 Continue data collection to properly understand the housing needs of the housing market.

Implementation Mechanism(s):

- (a) Coordination between the Community ~~Affairs~~ Services and Planning Departments regarding data collection and sharing.
- (b) Planning and Community ~~Affairs~~ Services Departments review and use of data from the University of Florida's Shimburg Center regarding affordable housing populations.

Policy: 6.1.3.4 Encourage the development of a variety of dwelling units of varying cost or rent within a single development.

Implementation Mechanism(s):

- (a) Planning Department revision to the Land Development Regulations to include definition of very low income household per state requirements.
- (b) Community ~~Affairs~~ Services Department allocation of funding to mixed income developments.

Policy: 6.1.3.7 Maintain the Affordable Housing Trust Fund for receipt of non-ad valorem revenues to encourage the continuation of affordable housing programs.

Implementation Mechanism:

- (a) The Community ~~Affairs~~ Services Department shall seek, where feasible, new revenue sources.

Policy: 6.1.4.4 Increase code enforcement activities in Community Development Conservation and, Community Development Improvement neighborhoods. (Refer to TSD-Housing Element regarding the generalized location of these neighborhoods).

Implementation Mechanism:

- (a) Coordination between the Departments of Community ~~Affairs~~ Services, and Public Safety.

## RECREATION AND OPEN SPACE ELEMENT

Policy: 8.3.2.3 Propagate and manage appropriate game and non-game species on suitable public lands for the purpose of managed recreational opportunities. Management and recreation shall be accomplished to ensure continued viability of these species.

(a) Parks and Recreation Department development of management plans for public lands with input from the Environmental Lands Management and Acquisition Committee.

(b) Coordination between the Manatee County Departments of Agriculture and Natural Resources, Environmental Management, and Parks and Recreation, and the ~~Florida Game and Freshwater Fish Commission~~ Florida Fish and Wildlife Conservation Commission and the Florida State Division of Forestry to achieve policy compliance.

## II. Correct / Add Numbering and Cross References

**C.2.3.2** Justification for Amendment to the Comprehensive Plan.

Amendment of any part of the Comprehensive Plan shall be considered as a major policy decision by the Board of County Commissioners. An amendment of the Future Land Use map, for example, shall occur only where it is determined that growth and development patterns initially sought by Manatee County, through thoughtful adoption of the Future Land Use Element, are no longer appropriate.

To justify the adoption of a policy amendment, or small-scale or other map amendment, a change in circumstances shall be demonstrated by the applicant, or an error, inconsistency, or oversight in the adopted plan demonstrated by the applicant.

In justifying the approval of a small-scale, or other, map amendment, the applicant shall submit information including, but not limited to, information on the potential impact of the proposed amendment on the surrounding area, which shall be reviewed by the Local Planning Agency in preparing a recommendation on the proposed amendment. The potential impact

analysis must consider development trends in the area as well as land use compatibility issues which should weigh heavily in decisions affecting residential density and non-residential intensity. Further, review shall be in accordance with the provisions of Section ~~3-B-3-3~~ C.2.3.3 below and its requirements for amendments to this Comprehensive Plan.

**Gross Non-residential Acreage** - The total acreage within a project, or part thereof, which is proposed for nonresidential lots of parcels, and which is also:

- exclusive of all areas considered to be part of a project's gross residential acreage, as defined herein.
- above the mean high water line or mean high tide of any naturally occurring water body.
- occupied by any man-made water body.
- wetland acreage subject to the jurisdiction of any local, State or Federal environmental review agency, provided that the jurisdictional wetland area is less than or equal to 20% of total project acreage.
- within any required setbacks from such jurisdictional area as required by Policy ~~2.3.1.2~~ 3.3.1.5 of this Plan.
- within any area reserved for protection of any threatened or endangered species, or species of special concern, including any setback from such species' habitat.
- part of any proposed public facility dedicated to, and accepted by, Manatee County, or by the Manatee County School Board, or part of any private park or outdoor recreation area.
- inclusive of local streets or other streets internal to the project.
- occupied by any easement for any public or private utility, including those easements shown as P/SP (1) on the Future Land use Map of this Comprehensive Plan.
- proposed as an open space area.
- adjusted, where applicable, for any reductions in gross residential acreage described in Policy ~~2.3.4.7~~ 2.3.1.2 of the Future Land Use Element, regarding disturbance of wetlands which are directly connected with inflowing



watercourses in the WO-M and WO-E Overlay Districts shown on the Future Land Use Map.

**Gross Residential Acreage** - The total acreage within a project, or part thereof, which is proposed for residential lots or parcels above the mean high water or mean high tide line of any naturally occurring water body, and exclusive of all areas considered to be part of a project's gross nonresidential acreage, as defined herein. The total acreage shall include:

- any man-made water body.
- wetland acreage subject to the jurisdiction of any Local, State or Federal environmental review agency, provided that the jurisdictional wetland area is less than or equal to 20% of total project acreage.
- acreage within any required setbacks from such jurisdictional area as required by Policy ~~2.3.1.2~~ 3.3.1.5 of this Plan.++
- acreage within any area reserved for protection of any threatened or endangered species, or species of special concern, including any setback from such species' habitat.
- acreage that is part of any proposed public facility dedicated to, and accepted by Manatee County, or by the Manatee County School Board, or part of any private park or outdoor recreation area.
- local streets or other streets internal to the project.
- any easement for any public or private utility, including those easements shown as P/SP (1) on the Future Land Use Map of this Comprehensive Plan.
- acreage proposed for any church, or religious place of worship.
- proposed as an open space area or community center.

Total acreage shall be adjusted, where applicable, for any reductions in gross residential acreage described in Policy ~~2.3.4.7~~ 2.3.1.2 of the Future Land Use Element regarding disturbance of wetlands, which are directly connected with inflowing watercourses in the WO-M and WO-E Overlay Districts shown on the Future Land Use Map.

**Small Commercial Uses** - Commercial establishments, or groups of commercial establishments which constitute no greater than 30,000 square feet of gross building square footage, are limited to a Floor Area Ratio of 0.23, and are limited to

neighborhood retail uses (as defined herein), and office uses for personal or professional services, where such uses are consistent with Objective ~~2.6.4~~ 2.6.1 of the Future Land Use Element and with other

development standards for commercial uses within residential designations described under Goal 2.10 of this Comprehensive Plan.

**Special Approval** - A development order review and approval process entailing, at a minimum, project review and approval by the Manatee County Board of County Board of County Commissioners; or the specific delegation of any specific review and approval process, or part thereof, to one or more County departments with option for appeal to the BOCC. Certain special approval processes may require review and approval pursuant to a zoning district or zoning compliance review procedure which will facilitate the evaluation of the proposed site design concept for purposes of determining, in sufficient detail, potential impact on natural resources, on adjacent land uses and on public facilities. Compliance with the following Objectives ~~2.6.4~~, and with Policies ~~2.9.3.6~~ associated policies, 2.9.2 (for residential projects), ~~2.10.2.3~~ 2.10.2 (for commercial projects), and ~~2.11.3.4~~ 2.11.1 (for industrial projects) are also required as conditions of granting special approval. Special Approval may also entail other requirements for review and approval of proposed projects, where such additional requirements are part of land development regulations developed pursuant to § 163.3202, F.S

Policy: 2.2.2.2.5

DEVELOPMENT RESTRICTION / CONDITIONS:

- (a) Prohibit the location of any general or commercial aviation facility within the Watershed Overlay District, except where a finding of overriding public interest has been reached by the BOCC for location of such a facility within the districts.
- (b) Prohibit the location of new confined feedlot operations for livestock within the Watershed Overlay District.
- (c) Prohibit all new mineral resource extraction and associated processing activities, other than sand, shell, and gravel extraction, within the Watershed Overlay District unless such uses are subject to special approval which must establish that such activities shall not cause a degradation of water quality and shall not cause adverse impact on water quantity

within the watersheds.

- (d) Prohibit newly proposed nonresidential/nonagricultural development in the Watershed Overlay District which require a construction or operating permit for industrial waste treatment, as referenced in Chapter 17-4, F.A.C., unless such developments are reviewed as special approvals and it can be established that such development shall not cause a degradation of the water quality in either the Lake Manatee or Evers Reservoir watersheds and shall not cause any adverse impact on water quantity within these districts.

Policy: Objective: 3.4.2

**MINERAL RESOURCE EXTRACTION:** Promote efficient, environmentally sound, utilization and extraction of mineral resources to conserve natural resources and to ensuring that the natural environment is protected from adverse impacts.

Policy: 9.2.1.2

Require all wastewater from any project located within the wastewater treatment collection area as shown on the Wastewater Treatment Collection Areas Map 9-A, to be collected and treated through Manatee County's public sanitary sewer system, except as allowed by special approval. Special approval under this policy shall include analysis of the following factors;

Policy: 9.2.4.4

Prohibit the development of any interim wastewater treatment plants for any project located within the wastewater treatment collection areas as shown on the Wastewater Treatment Collection Areas Map 9-A, unless Special Approval is granted not to connect to the public sanitary sewer system under policy 9.2.1.2 and approved by the Board of County Commissioners.

### **III. Clarify Policy regarding Allowable Boat Density**

*Amend policy to match previous BOCC direction limiting boat docks to 1 per 100 linear feet of shoreline, as instituted in the Land Development Code.*

Policy: 4.1.6.1 Protect the West Indian Manatee by requiring all development within its range to adhere to Florida Department of Environmental Protection guidelines for this species.

Implementation Mechanism(s):

(a) Planning and Environmental Management Department implementation of the following strategies:

- posting of idle speed zones in conjunction with the Marine Rescue Division of the Public Safety Department for all existing and new marina-type uses and multi-family docking facilities.
- designation of slow speed zones for all access channels to marina-type uses and multi-family docking facilities.
- posting and maintenance of regulatory signs at marina-type uses and their access channels will be provided, funded, and maintained by the affected marina-type use.
- location of new or expanded boat ramps, multi-slip docking facilities away from sites of high manatee concentrations, such as those identified by state and federal agencies [see policy 4.2.1.2].
- large, eye catching educational displays at every boat ramp and marina to alert boaters to possible presence of manatees and apprise them of boating regulations in the area.
- permitting density of multi-family docking facilities and single-family

docks not to exceed one power boat slip for every 100 feet of shoreline owned. ~~Additional slips over the 1:100 foot ratio shall be designated as "sail boat only", provided construction of additional slips will not result in destruction of manatee habitats and appropriate enforcement mechanisms can be developed to ensure compliance.~~

**IV. Add language to clarify that the hurricane evacuation zones are updated on a periodic basis.**

*The phrase, "as updated on a periodic basis" is proposed to be added to reflect that the hurricane evacuation areas are reviewed on a yearly basis and amended when needed.*

**Coastal Planning Area** - Those portions of Manatee County which lie within the Hurricane Vulnerability Area (evacuation levels A, B, and C), as updated on a periodic basis. This area shall also include water and submerged lands of oceanic water bodies or estuarine water bodies; shorelines adjacent to such water bodies; coastal barriers; living marine resources, marine wetlands; water-dependent or water-related facilities on oceanic or estuarine waters; public access facilities to oceanic beaches or estuarine shorelines; and all lands adjacent to such occurrences where development activities would impact the integrity of the above mentioned land or water body.

**Coastal Evacuation Area (CEA)** - The evacuation zone for a Category 1 hurricane as established in the regional hurricane evacuation study applicable to Manatee County pursuant to Ch. 163.3178(2)(h) F.S., as updated on a periodic basis.

Policy:            2.2.2.4.1        Definition: The geographic area which lies within the evacuation area for a Category 1 hurricane as established by the Manatee County Emergency Management Division of the Public Safety Department in conjunction with the Tampa Bay Regional Planning Council, as updated on a periodic basis.

**V. Correct text to be consistent with existing policy regarding redevelopment in the FEMA Velocity Zone.**

*Clarifies that residential redevelopment within the FEMA Velocity Zone is limited to a maximum of 3 dwelling units or less. When the future land use category is less than 3 dwelling units then the lower land use category prevails.*

Policy: 4.3.1.3 Require that non-industrial redevelopment activities within the FEMA Velocity-Zone of the Coastal Storm Vulnerability Area to be limited to the density/intensity in existence for the development site prior to the effective date of the Comprehensive Plan; or be limited to three dwelling units per gross acre or the maximum Floor Area Ratio associated with the Future Land Use designation(s) on the project site, whichever is ~~greater~~ less. All such redevelopment activities shall also be subject to compliance with other applicable goals, objectives, and policies of this comprehensive plan, and all applicable development regulations.

**VI. Correct Typographical and Grammatical Error**

*Change period to colon to reflect ratio and correct syntax*

Policy 3.3.1.3

- 4) No less than 1:1.1-5 acres of created wetland shall be required for each acre of wetlands being altered except as allowed in policy 3.3.1.4 or as allowed by special approval of the Board of County Commissioners as part of an Ecosystem Management Plan, after recommendation by the Environmental Management Department.

Policy 3.3.1.4 Allow for the consideration of wetlands enhancement and/or upland preservation as alternatives to creation when mitigating cumulative wetlands impacts that do not exceed .5 acres per project. Enhancement and/or upland preservation acreage shall be approved based upon the following considerations:

**ATTACHMENTS:**

- 1. Consistency with State Statutes and Rules
- 2. Copy of Newspaper Advertising

CONSISTENCY OF THE LOCAL COMPREHENSIVE  
PLAN AMENDMENT WITH THE FLORIDA STATUTES AND RULES  
PA-01-06 (Manatee County Ordinance 01-06)

The proposed amendment is consistent with:  
Florida Statutes 163 Part II  
and Rule 9J-5

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

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

Chapter 187.201(9)(b)4

# NOTICE OF CHANGE OF LAND USE AFFECTING PROPERTY IN UNINCORPORATED MANATEE COUNTY

The Manatee County Board of County Commissioners will hold a public hearing to consider and act upon an amendment to the Manatee County Comprehensive Plan and changes to the use of certain lands within the unincorporated area of Manatee County.

**Date:** Thursday, March 27, 2001

**Time:** 9:00 A.M. or soon thereafter

**Place:** Manatee County Government Administrative Center  
1112 Manatee Ave. West; Board Chambers (1st Floor)

## **PA-01-01 (ORDINANCE 01-01) - TROPICANA PRODUCTS, INC./MANATEE HEADSTART, INC.**

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to the Future Land Use Map from:

- 1) Parcels A (+/- 3.89 acres) & B (+/- 9.89 acres) - from RES-6 (Residential - 6 d.u.'s per acre) to IU (Industrial Urban) (+/- 13.78 total acres for both parcels).
- 2) Parcel C (+/- 0.62 acres) from ROR (Retail/Office/Residential) and IL (Industrial Light) to IU (Industrial Urban).

Parcels A & B are located east of an adjacent to 15th Street East directly south of its intersection with 17th Avenue East. Parcel C is located along the south edge of the intersection of the CSX railroad ROW and US 41 (1st Street East) adjacent to the northern edge of the Red Barn Flea Market parking lot.

## **PA-01-02 (ORDINANCE 01-02) - F. BROWNE GREGG**

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to the Future Land Use Map from IL (Industrial Light) to P/SP(1) [Public/Semi-Public (1)] for certain land located at 3105 Buckeye Road and 11951 Bud Rhoden Road; providing for severability; and providing for an effective date (+/- 28.96 acres).

## **PA-01-03 (ORDINANCE 01-03) - RO RO INC.**

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an approval of an amendment to the Future Land Use Map of the Future Land Use Element of the Comprehensive Plan from Res 3 (Residential - 3 dwelling units/gross acre) to Res 6 (Residential - 6 dwelling units/gross acre) for a site located on the southeast corner of 63rd Avenue East and Big Pittsburgh Drain; providing for severability; and providing for an effective date (+/- 39.3 acres)

## **PA-01-04 (ORDINANCE 01-04) - COMMERCIAL LOCATION EXEMPTION FOR LARGE PROJECTS AND DEVELOPMENTS OF REGIONAL IMPACT (DRIS)**

Approval of text amendments to the Future Land Use Element of the 2020 Manatee County Comprehensive Plan providing an exception to commercial locational criteria for Developments of Regional Impacts (DRI's) and Large Projects exhibiting certain development characteristics.

## **PA-01-05 (ORDINANCE 01-05) - TEXT AMENDMENTS REGARDING ISSUANCE OF WATER LEVEL OF SERVICE CERTIFICATES**

Approval of text amendments to the Future Land Use Element of the 2020 Manatee County Comprehensive Plan to change the availability of obtaining a Certificate of Level of Service Compliance for potable water at DRI, Large Project, Preliminary Site Plan or equivalent preliminary approval stage to issuance of a Certificate of Level of Service Compliance for potable water at construction drawing approval stage, final site plan or equivalent approval to commence development.

## **PA-01-06 (ORDINANCE 01-06) - TEXT AMENDMENTS FOR OVERSIGHTS, CLARIFICATION AND NAME UPDATES**

Approval of text amendments to update portions of the 2020 Comprehensive Plan text due to oversights, department/agency name changes, clarification and for consistency.

## **PA-01-07 (ORDINANCE 01-07) - TEXT AMENDMENTS REGARDING REQUIREMENTS TO THE P/SP-1 (PUBLIC/SEMI-PUBLIC 1) FUTURE LAND USE CATEGORY REGARDING APPLICATION AND PROCESS**

Amendment proposes to add requirements to the P/SP-1 future land use category requiring:

1. declaration of specific use(s),
2. information regarding compatibility with adjacent uses,
3. planned development zoning.

## **PA-01-08 (ORDINANCE 01-08) - TEXT AMENDMENTS CLARIFYING CENTRAL WASTEWATER CONNECTION REQUIREMENTS WITHIN THE EVERS WATERSHED OVERLAY**

Approval to update text portions of the Wastewater Treatment Sub-Element of the 2020 Manatee County Comprehensive Plan to require connection to the central wastewater system within the WO-E (Watershed Overlay - Evers), when inside the wastewater treatment collection area, regardless of future land use category.

The public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution may be obtained from the Planning Department (see address below).

**Please Sent Comments To:** Manatee County Planning Department  
Attn: Agenda Coordinator  
1112 Manatee Ave. West, Suite 427  
Bradenton, FL 34206

All written comments will be entered into the record.

**For More Information:** Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 749-3070, Ext. 6829, between 8:00 AM and 5:00 PM.

**Americans with Disabilities:** The Board of County Commissioners of Manatee County do not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds; FAX 745-3790.

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.



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**MANATEE COUNTY GOVERNMENT**  
**Planning Department**  
*Interoffice Memorandum*

Date: March 26, 2001

To: Kim Sparks, Agenda Coordinator

From: Michael R. Wood, AICP  
Comprehensive Planning Administrator 

Re: PA-01-06 / Ord. 01-06  
Additional Text Changes / Department Name Updates

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Attached are additional text amendments to be incorporated into the above amendment.

The attached amendments update the Public Works Department to the Utility Operations Department, Project Management Department, Transportation Department or Office of Financial Management as appropriate.

Please incorporate the attached material into the existing staff report / ordinance as required.

MRW:fl

## AVIATION ELEMENT

Policy: 5.12.1.1

Require that all planned or necessary on- or off-site capital improvements contained in, or necessary to implement, the Sarasota-Manatee Airport Authority's approved master plans are consistent with the MPO's 2020 Long Range Transportation Plan, with FDOT's 2020 Florida Transportation Plan and five year work program, with Manatee County's Capital Improvements Element, and with other agency budgets.

Implementation Mechanism:

- (a) Coordination by the Manatee County Planning Department, Transportation Department, ~~Public Works~~ Utilities Operations Department, and Project Management Department to ensure consistency between any master plan adopted by the Sarasota-Manatee Airport Authority and the Capital Improvements Element contained in this Comprehensive Plan. Also, to ensure consistency between any adopted Sarasota-Manatee Airport Authority Airport Master Plan and the MPO's plans.

Policy: 5.12.2.1

Consider all other relevant sections of the Comprehensive Plan in the review of any proposed development order for the expansion and operation of any existing airport, or development of any new airport, including the Land Use, Transportation, Capital Improvements, Public Facilities, and Conservation Elements.

Implementation Mechanism:

- (a) Manatee County Planning Department, Transportation Department, Community Services Department (Transit Division), Environmental Management Department, and ~~Public Works~~ Utilities Operations Department review of any proposed development order for any new or expanded airport for compliance with this "consistency" policy.

## CAPITAL IMPROVEMENTS ELEMENT

### POTENTIAL FINANCING ALTERNATIVE

#### Local Government Development (and Other) Agreements.

This form of privatization is basically a non-debt financing alternative that gets the private sector directly involved in the financing, building, and operation of a facility. Local Government Development Agreements must include a phasing schedule showing that public facilities will be available concurrent with the impacts of the proposed development, a description of the public facilities with the general location and approximate date of construction, and parties responsible for the construction and operation of the facilities until they are deeded to Manatee County.

Other development agreements between Manatee County ~~Public Works~~ Utilities Operations and Project Management Departments and private or public parties may also be used to fund capital facilities (e.g., line extensions, infrastructure oversizing), and can be negotiated without the adoption of Local Government Development Agreement under Ch.163.3220 (et. seq.), F.S.

## COASTAL ELEMENT

- Policy: 4.3.2.2
- Prohibit the construction of County-funded public facilities within the CSVA except for the following:
- public recreation consistent with natural resource preservation;
  - maintenance of hurricane evacuation times;
  - facilities which are necessary for public health, safety, or resource restoration;
  - roadways shown on the Future Traffic Circulation Map or the Major Thoroughfare Map contained in the Traffic Circulation Element of the Comprehensive Plan;
  - improvements required to maintain Level of Service standards;

- projects which are of an overriding public interest as determined by the Board of County Commissioners.

Implementation Mechanism:

- (a) Transportation, ~~Public Works~~ Utilities Operations, Project Management, Public Safety, and Parks and Recreation Departments development of capital improvements budgets consistent with this policy.
- (b) Planning Department input to the Sarasota-Manatee Metropolitan Planning Organization to discourage the inclusion of transportation improvements within the CEA unless such improvements are consistent with policy 4.3.2.4.

Policy: 4.3.2.3

Prohibit Manatee County from accepting responsibility for maintaining new roadways within the CSVA except for those which are consistent with policies 4.4.2.1 and 4.3.2.4.

Implementation Mechanism:

- (a) Transportation, Project Management and ~~Public Works~~ Utilities Operations Departments coordination with the Planning Department to implement this policy.

Policy: 4.3.2.4

Prohibit construction of new, or widening of existing, bridges linking the mainland to any island/key area within Manatee County unless such bridge or improvement is shown on the Future Traffic Circulation Map.

Implementation Mechanism:

- (a) ~~Public Works~~ Utilities Operations, Project Management and Transportation Department coordination with the Florida Department of Transportation to review all applications for bridge construction to ensure compliance with this policy.

Policy: 4.3.2.5

Establish a lower priority for the funding of public infrastructure within the CEA as compared to non-CEA areas, except where expenditures are necessary to:

- alleviate dangerously overcrowded or otherwise hazardous roads;
- replace or construct wastewater facilities to alleviate or prevent potential violations of potable water quality standards or water quality standards applicable to surface waters;
- construct recreational facilities unique to coastal sites.

Implementation Mechanisms:

- (a) Coordination between the Project Management, ~~Public Works~~ Utilities Operations, Transportation, and Planning Departments during preparation of the Capital Improvements Projects budget to achieve policy compliance.

Policy: 4.4.3.1

Prioritize immediate repair and cleanup actions and permitting activities following a natural disaster.

Implementation Mechanism(s):

- (a) County Damage Assessment Team established in the Manatee County Comprehensive Emergency Plan collection of initial storm damage data following a disaster, and presentation of this data to the Board of County Commissioners for prioritization of recovery activities.
- (b) Prioritization of building permit issuance by the Building Department after a disaster to ensure that those structures that can be quickly restored to use are issued permits first and that structures that require the most time and materials to restore are issued permits last.

- (c) Coordination with the Transportation, Project Management and ~~Public Works~~ Utilities Operations Departments to prioritize essential infrastructure repair and reconstruction.

## CONSERVATION ELEMENT

Policy: 3.2.1.1 By 1998, establish a mesotrophic or better Trophic State Index (TSI) range as a performance measure for Lake Manatee and implement watershed management as necessary to maintain water quality within the TSI ranges adopted.

Implementation Mechanism:

- (a) Environmental Management Department in conjunction with the ~~Public Works~~ Utilities Operations Department will establish an individual TSI range for Lake Manatee.

Policy: 3.2.1.2 Maintain or reduce nutrient loads by establishing load reduction goals for the Evers Reservoir and Lake Manatee watersheds.

Implementation Mechanism(s):

- (a) Environmental Management, ~~Public Works~~ Utilities Operations, and Planning Departments development of a reservoir watershed management plan for Evers Reservoir that recognizes the unique problems of an urbanizing watershed and which is consistent with the TBNEP CCMP and the CSWM plans of the SWFWMD.
- (b) Environmental Management and ~~Public Works~~ Utilities Operations Department development of a reservoir watershed management plan for Lake Manatee consistent with the TBNEP CCMP and the CSWM plan of the SWFWMD.

Policy: 3.2.1.3 By 1998, develop incentives to encourage the use of Conservation Plans including Best Management Practices (BMPs) to promote economical agricultural

production and improve water quality in the Lake Manatee and Evers Reservoir watersheds.

Implementation Mechanism:

(a) Continue coordination between the ~~Public Works~~ Utilities Operations Department, Natural Resources Conservation Service, the Manatee River Soil Conservation Service, and the Water Quality Division of the Environmental Management Department to increase the use of BMPs in the watersheds. Mechanisms to increase use of BMPs may include:

- focusing BMP awareness education to those agricultural operations within the watershed most likely to benefit from specific BMPs;
- creation of an agricultural best management practices task force advisory group and implementation of any recommendation of the group;
- development of a newsletter to keep agricultural concerns and water quality professionals informed of recent developments;
- evaluation of grants, such as those from the Department of Agriculture and Consumer Affairs, to establish experimental operations to gauge the efficacy of BMPs;
- explore possible use of tax incentives for consistent use of BMPs which improve water quality in the watersheds;
- develop a demonstration project for efficient agricultural operations utilizing BMPs which improve water quality.

Policy: 3.2.1.5

By December 31, 1998 expand the current water quality monitoring program in the WO districts. Such expansion



shall provide more comprehensive water quality monitoring by increasing the water quality data base, and establishing additional monitoring, maintenance, and enforcement.

Implementation Mechanism:

- (a) Coordination between the Environmental Management Department, ~~Public Works~~ Utilities Operations Department, and other existing federal, state and local monitoring agencies to establish water quality monitoring and maintenance programs or requirements for the Watershed Overlay Districts, including requirements for standards for the location of any water quality monitoring stations outside of appropriately described mixing zones.

Policy: 3.2.1.10

By 1998, explore additional management strategies and techniques to improve water quality in the Evers and Lake Manatee Reservoirs.

Implementation Mechanism:

- (a) Periodic evaluation of water quality improvement strategies by the ~~Public Works~~ Utilities Operations Department in coordination with appropriate County departments and state and local agencies.

Policy: 3.2.2.3

Prohibit new development for which groundwater well pumpage would induce further salt water intrusion or which will cause other adverse hydrological effects.

Implementation Mechanism(s):

- (a) Environmental Management Department, Project Management, Public Works Utilities Operations, and Planning Department continued coordination with the SWFWMD to ensure policy compliance.
- (b) Implementation of the policies under objective 9.1.5 of the Public Facilities element.

Policy: 3.2.3.1 Continue to encourage residents and businesses to maintain or improve water conserving habits.

Implementation Mechanism(s):

- (a) Agriculture and Natural Resources Extension Office, Project Management and Public Works Utilities Operations Department will continue water conservation education programs.
- (b) Coordinate local water conservation education efforts with the SWFWMD, the Tampa Bay, Sarasota Bay, and Charlotte Harbor NEPs, and the Manatee County School Board.

Policy: 3.2.3.2 Require all water users to use the lowest quality of available water which adequately and safely meets their water use needs by requiring stormwater reuse, alternative irrigation sources, reclaimed water use, and gray water irrigation systems where feasible. [See Policies 9.4.1.11, 9.6.1.2, and policies under objective 9.1.5]

Implementation Mechanism:

- (a) Public Works Utilities Operations, Project Management and Planning Department cooperation during development review to ensure policy compliance.

Policy: 3.3.1.9 Identify significant coastal and freshwater wetland systems, such as low-salinity tidal marshes, for possible jointly-funded restoration and/or enhancement projects with appropriate agencies and land owners.

Implementation Mechanism(s):

- (a) Planning Department, Public Works Utilities Operations Department and Environmental Management Department coordination with the Environmental Lands Management and Acquisition Committee (ELMAC) to identify and review potential wetlands restoration projects.

- (b) ~~Public Works Utilities Operations~~, Environmental Management Department, and Planning Department coordination with SWFWMD, the appropriate NEP, and other appropriate regulatory agencies to promote appropriate wetland restoration and enhancement.

Policy: 3.3.2.6

Whenever feasible, restore non-exotic plant communities on public lands, by reforestation and other appropriate activities, to provide suitable wildlife habitat for endangered and threatened plant and animal species.

Implementation Mechanism(s):

- (a) Coordination among the Parks and Recreation Department, ~~Public Works Utilities Operations~~, Environmental Management Department, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Agriculture, the United States Department of Agriculture, and other local, regional, State or Federal agencies to obtain assistance on restoration activities.

Policy: 3.3.2.7

Consider the use of suitable public lands as receiving lands for protected plant and animal species which are proposed for relocation under agency-approved mitigation actions. Any such relocation shall consider the impact of adjacent development or agricultural operations on these species, and shall be consistent with Goal 2.5.

Implementation Mechanism:

- (a) Coordination between the Environmental Management Department, ~~Public Works Utilities Operations~~, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection, and the U.S. Fish and Wildlife Service to facilitate appropriate species relocation activities.

Policy: 3.3.3.1 Participate in the development and preservation of natural area greenways which should include wildlife corridors, recreation areas, environmentally sensitive lands, and other cultural and historic resources which may serve the passive recreational needs of residents and visitors.

Implementation Mechanism(s):

- (a) Department of Agriculture and Natural Resources, Planning Department, Project Management, ~~Public Works~~ Utilities Operations Department, and Environmental Management Department coordination with the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the Florida Fish and Wildlife Conservation Commission to achieve policy compliance.

Policy: 3.3.3.2 Identify, by 1998, areas in public ownership such as recreation areas, stormwater management areas, and other open space areas which can serve a dual purpose through possible inclusion in any greenways network.

Implementation Mechanism:

- (a) Planning Department, Project Management and ~~Public Works~~ Utilities Operations Department cooperation to identify suitable County owned lands to implement this policy.

Policy: 3.3.3.3 By 1998, develop options for funding the development of a greenways network in Manatee County which may include identification of greenway projects in the Capital Improvements Program.

Implementation Mechanism(s):

- (a) Planning Department coordination of research for greenway funding sources to be included in the master greenways plan.

- (b) Project Management, ~~Public Works~~ Utilities Operations and Transportation departments identification of greenways improvements in the Capital Improvements Program budget.

Policy: 3.4.1.3

Continue the current hazardous material management process which is applicable to all hazardous substance facilities to address the proper storage, disposal and recycling of hazardous wastes and substances, and to provide direction to routing of hazardous materials on Manatee County roadways. Registration of all small and large generators of hazardous substances with the Manatee County Department of Public Safety and the Environmental Management Department is required.

Implementation Mechanism:

- (a) Continued monitoring by the Environmental Management, Public Safety, and ~~Public Works~~ Transportation Departments, in cooperation (where appropriate) with other local governments and other affected parties.

Policy: 3.4.1.6

By 1999, explore the possibility of establishing a pollution prevention program for storage and disposal of hazardous or acutely hazardous substances or waste to deter unsafe practices and protect residents and visitors.

Implementation Mechanism:

- (a) Emergency Management Department, Fire Departments, ~~Public Works~~ Utilities Operations, and Environmental Management Department cooperation with the Planning Department to develop a system and/or mechanism to achieve policy compliance.

Policy: 3.4.1.8

Solicit private sector assistance for the proper disposal of household hazardous wastes to reduce the land filling of such wastes.

Implementation Mechanism:

- (a) ~~Public Works~~ Utilities Operations Department to work with the private sector to implement this policy.

Policy: 3.4.2.3

Encourage efficient mineral resource extraction through water conserving extraction methods, use of reclaimed water, when available, and other cost effective and resource conserving techniques.

Implementation Mechanism:

- (a) Coordination among the ~~Public Works~~ Utilities Operations Department, EMD, SWFWMD, FDEP and mining concerns to promote efficient resource extraction.

## DEFINITIONS

**Arterial Road (Arterial)** - A route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. The primary purpose of arterials is to provide service to major traffic movements; access to abutting property is a subordinate purpose. An arterial street (or road) is also typically characterized by restricted parking, access control, signals at important intersections and stop signs on the side streets, and typically distributes traffic to and from collector streets or roadways. Arterial roads shall also be consistent with the definition of "Arterial Road" contained in 9J-5.003(6), Florida Administrative Code. Existing roads classified as Arterial are indicated on the adopted Roadway Functional Classification Map. Roads which are built or proposed subsequent to the adoption of the Comprehensive Plan shall be initially classified as Arterial only by action of the Manatee County Department of Planning, ~~Permitting and Inspections~~, following a recommendation from the Manatee County Department of ~~Public Works~~ Transportation. Any such classification shall occur prior to the road being indicated on the Roadway Functional Classification Map as an Arterial. Any such added Arterial shall be subject to final functional classification by the Florida Department of Transportation periodically, pursuant to procedures identified in Rule 14-12, Florida Administrative Code.

**Collector Road (Collector)** - A route providing service which is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Traffic movement is a priority but there is a higher degree of land access than with an arterial road, allowing such a route to collect and distribute traffic between local roads or arterial roads and serve as a linkage between land access and mobility needs. A collector street (or road) is also one which typically collects traffic from local

streets and which generally connects with Arterials, as defined herein. Collectors shall also be consistent with the definition of "Collector Road" contained in 9J-5.003(15), Florida Administrative Code. Existing roadways classified as Collector are indicated on the adopted Roadway Functional Classification Map. Roads which are built or proposed subsequent to the adoption of the Comprehensive Plan shall be initially classified as Collector only by action of the Manatee County Department of Planning, ~~Permitting and Inspections~~, following a recommendation from the Manatee County Department of ~~Public Works Transportation~~. Any such classification shall occur prior to the road being indicated on the Roadway Functional Classification Map as a Collector. Any such added Collector shall be subject to final functional classification by the Florida Department of Transportation periodically, pursuant to procedures identified in Rule 14-12, Florida Administrative Code.

## **DRAINAGE**

Policy: 9.4.4.5 Encourage the use of biological treatment within man-made stormwater detention facilities and permit the utilization of isolated wetlands in appropriate areas in the County as a part of an approved stormwater management plan.

### Implementation Mechanism:

- (a) Environmental Management and ~~Public Works Utilities Operations~~ Departments coordination with the Southwest Florida Water Management District to ensure that all stormwater management systems discharging into surface waters are designed and maintained in a manner consistent with this policy.

## **FUTURE LAND USE ELEMENT**

Policy: 2.2.2.2.4 Effect of Mapping:

- (a) Any project which is at least partially within the Watershed Overlay District (WO) shall be submitted for approval under the special approval process. The area designated under the WO District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the WO District. The extent and coverage of the area designated is shown in

greater detail on the official zoning atlas of Manatee County, but is, however, subject to adjustment pursuant to (c) below.

- (b) See also policies listed under Policy 2.2.2.2.3 above.
- (c) Manatee County ~~Public Works~~ Utilities Operations Department will accept, and review on a case-by-case basis, submittal of appropriate hydrological studies by any owner or authorized representative of property shown on the official zoning atlas as being within the Watershed Overlay where the owner or agent thereof is seeking to demonstrate that property is not located within the Lake Manatee Watershed or the Evers Reservoir Watershed. The ~~Public Works~~ Utilities Operations Department will provide the Planning Department with results of any such review. Where the review concludes that the subject property, or part thereof, is located outside the Watershed Overlay, adjustments to the zoning atlas should be processed pursuant to an administrative procedure established within any land development regulations developed pursuant to § 163.3202, F.S.

Policy: 2.3.3.5

Limit density or intensity in a manner which will protect all groundwater resources from unacceptable contamination by septic tanks. (See also Objective 9.2.4 and associated policies)

Implementation Mechanism:

- (a) Review of proposed impacts by the ~~Public Works~~ Utilities Operations, Environmental Management, and Planning Departments and the Florida HRS and conditioning of development orders as appropriate.



## RECREATION & OPEN SPACE

Policy: 8.2.1.2 Coordinate with state and federal agencies to ensure waterfront access on causeways and bridges.

Implementation Mechanism:

- (a) Departments of Public Works Transportation, Parks & Recreation and Planning will coordinate activities with state and federal Departments of Transportation for inclusion of Public Access areas.

Policy: 8.3.2.1 Encourage the use of publicly owned land for passive recreational opportunities and greenways while managing the natural resources on such lands.

Implementation Mechanism(s):

- (a) Coordination with the Florida Department of Environmental Protection and other state and regional agencies to facilitate the use of state or other available funds to develop appropriate recreational resources on land used by Manatee County, particularly within the WO and CSVA overlay districts.
- (b) Coordination between the Public Works Utilities Operations Department, Department of Agriculture and Natural Resources, and the Parks and Recreation Department, as appropriate, to provide for the recreational use of public lands, particularly within the WO and CSVA overlays.

## SOLID WASTE SUB-ELEMENT

Policy 9.3.1.1 Calculate solid waste disposal needs based upon the following:

- (1) a per capita solid waste generation rate of 7.1 pounds per day.
- (2) a solid waste compaction rate of 940 pounds per cubic yard.

- (3) a maximum landfill disposal rate of 108,093 cubic yards per acre.

Implementation Mechanism:

- (a) ~~Public Works~~ Utilities Operations Department will schedule capital improvements consistent with the infrastructure standards established in this policy.

Policy: 9.3.2.3

Periodically, or when necessary, evaluate resource recovery technologies for feasibility as a solid waste disposal method in Manatee County.

Implementation Mechanism:

- (a) Feasibility studies where required, or when deemed appropriate by Manatee County ~~Public Works~~ Utilities Operations Department.

Policy: 9.3.2.7

Continue to expand the current program of curbside recycling of yard and certain selected solid, recyclable wastes, which may include participation by the municipalities.

- (a) ~~Public Works~~ Utilities Operations Department continue to coordinate with local governments within Manatee County to achieve policy compliance.

Policy: 9.3.3.1

Refuse any hazardous waste/material for disposal at any sanitary landfill owned and/or operated by Manatee County.

Implementation Mechanism:

- (a) ~~Public Works~~ Utilities Operations Department perform periodic inspections of haulers at the Lena Road landfill to ensure compliance with this policy.

## WASTEWATER TREATMENT SUB-ELEMENT

Policy: 9.1.2.3 Require that wastewater collection systems which are to be operated and maintained by Manatee County be designed to minimize the capital and operating costs of the County collection system.

Implementation Mechanism:

- (a) ~~Public Works~~ Utilities Operations Department review of any proposed capital improvement, and review of any proposed development order on any project not having special exception status under this Comprehensive Plan, for compliance with sanitary sewer Level of Service Standards.

Policy: 9.1.5.3 Pursue a regional approach, whenever feasible, to the use of reclaimed water through development of interlocal agreements with local governments and surrounding jurisdictions.

Implementation Mechanism:

- (a) ~~Public Works~~ Utilities Operations Department planning and coordination with other jurisdictions to ensure compliance with this policy.

Policy: 9.2.1.2 Require all wastewater from any project located within the wastewater treatment collection area as shown on Map 9-A, to be collected and treated through Manatee County's public sanitary sewer system, except as allowed by special approval. Special approval under this policy shall include analysis of the following factors;

- Proposed wastewater impacts,
- Accessibility of the central system,
- Proposed infrastructure improvements,

- Environmental sensitivity,
- Development trends and timing,
- Compatibility of development, and
- Proposed mitigation measures.

Implementation Mechanism(s):

- (a) Implementation and revision of the Manatee County Sewer Collection Ordinance, consistent with this policy.
- (b) Revision of the Land Development Code and other appropriate ordinances consistent with this policy.
- (c) Coordination between the Departments of Project Management, Public Works Utilities Operations, Building, Planning, and the Manatee County Public Health Unit.

Policy: 9.2.2.2

Prohibit the use of septic tanks in the Evers Reservoir portion of the WO except for isolated single family dwelling units meeting the exceptions identified in Policy 9.2.1.4.

Implementation Mechanism:

- (a) Project Management, Public Works Utilities Operations and Planning Departments coordination with the Health Department to facilitate review of any septic tank permit within the Evers Reservoir Watershed for compliance with this policy.

Policy: 9.2.3.1

Continue to require that new growth pay its full share of needed capital facilities, through payment of facilities investment fees (or other such fees) to fund necessary expansion of wastewater disposal, treatment, and major collection systems associated with this growth. This requirement will also apply to any increase in wholesale customer commitments.

Implementation Mechanism:

- (a) Wholesale and retail facility investment fees, or other fees, assessed by the Department of ~~Public Works~~ Utilities Operations in a manner consistent with this policy for application directly to cost of expansion or for coverage of associated debt service.

Policy: 9.2.4.2

Require that all new septic tanks and associated drain fields located within the Watershed Overlay (WO) District shall be located no closer than 200 feet to any jurisdictional wetland (including in flowing watercourses).

Implementation Mechanism(s):

- (a) Review of agency approved wetland survey, or other appropriate delineation, and preliminary site plan by the Manatee County Planning Department prior to issuance of septic tank permit by Manatee County Public Health Unit and conditioning of any development order approval to ensure compliance with this policy.
- (b) Coordination between the Manatee County Public Health Unit, Project Management, ~~Public Works~~ Utilities Operations, Building, and Environmental Management Departments.

Policy: 9.2.4.4

Prohibit the development of any interim wastewater treatment plants for any project located within the wastewater treatment collection areas as shown on Map 9-A, unless Special Approval is granted not to connect to the public sanitary sewer system under policy 9.2.1.2 and approved by the Board of County Commissioners.

Analysis of the following factors shall be included in the approval of any interim wastewater treatment plants:

- Analysis of impacts from individual on site systems, versus an interim treatment plant,

- Level of treatment proposed,
- Possible connection to other municipal wastewater treatment systems,
- Location within or adjacent to environmentally sensitive areas,
- Location within areas subject to flooding, and
- Consideration of the appropriate timing and type of proposed development.

See also policies under Objective 2.1.2

Implementation Mechanism(s):

- (a) Review by the ~~Public Works~~ Utilities Operations, Project Management, Planning, Building, Environmental Management Departments, and the Manatee County Public Health Unit to implement this policy.
- (b) Revisions to the Land Development Code and other regulatory documents as appropriate to implement this policy.

Policy: 9.2.4.5

Require, where connection to the Manatee County public wastewater system is not required under policy 9.2.1.2, that any project within the Wastewater Treatment Collection Areas utilizing septic tanks or an interim wastewater treatment plant shall be constructed with dry-lines so as to readily permit connection to the public sanitary sewer system for all residential development of 1 du/ga and higher, and all non-residential development.

Dry-lines shall be extended to the appropriate project boundary or boundaries. The interim wastewater treatment plant and associated collection system shall be installed so as to readily provide for a connection to the Manatee County sanitary sewer system.

Developed portions of a project shall connect within two years of the reasonable availability of a central

system sanitary sewer line which has adequate capacity to accommodate wastewater flows.

When the requirement for dry lines are not appropriate due to unforeseeable engineering conditions, special approval is required to ensure compliance with the intent of this policy.

Implementation Mechanism(s):

- (a) Coordination between the Project Management, ~~Public Works~~ Utilities Operations and Planning Departments to ensure policy compliance.
- (b) Revision of the Land Development Code and other regulatory documents as appropriate to implement this policy.

Policy: 9.2.4.7

Continue review and analysis of the wastewater treatment policies and procedures for effectiveness.

Implementation Mechanism(s):

- (a) ~~Public Works~~ Utilities Operations and Information Services Department continue modernization of data collection and mapping.
- (b) Coordination between ~~Public Works~~ Utilities Operations, Planning, Environmental Management, Building, and the Health Departments in conducting review.

## **WATER SUPPLY SUB ELEMENT**

Policy: 9.5.2.1

Continue to develop economically feasible water conservation techniques to preserve the Lake Manatee Reservoir and to minimize competition between agricultural, commercial, and residential users of surface water resources.

Implementation Mechanism:

- (a) Manatee County ~~Public Works~~ Utilities Operations implementation of water conservation plans and programs consistent with Objective 3.2.1.

Policy: 9.5.2.2

Continue the program of public acquisition of sensitive lands within the Lake Manatee Watershed Overlay (WO).

Implementation Mechanism(s):

- (a) Manatee County ~~Public Works~~ Utilities Operations investment in the Lake Manatee impoundment area as the primary source of potable water for Manatee County.
- (b) Land acquisition strategy in the Lake Manatee WO District to protect water quality.

Policy: 9.5.3.1

Protect the Duette Park and other alternative potable water wellfields or other viable and redundant water sources to maintain reserve emergency capacity to meet 75% of projected average daily demand.

Implementation Mechanism(s):

- (a) Manatee County ~~Public Works~~ Utilities Operations acquiring or leasing additional property, as needed to implement this policy, in eastern Manatee County suitable for accessing groundwater supplies consistent with this policy, and the development of wellfields, and transmission capacity from that property.
- (b) ~~Public Works~~ Utilities Operations Department coordination with the Peace River/Manasota Regional Water Supply Authority.

Policy: 9.5.3.2

Continue to investigate, as necessary, other potential surface and groundwater supply sources and recharge/recovery technologies to provide for the greatest number of financially-feasible water supply options.



Implementation Mechanism:

- (a) Continued study, as necessary, by the Manatee County ~~Public Works~~ Utilities Operations Department of alternative water supplies.

Policy: 9.5.3.3

Develop and maintain sufficient reserve treatment capacity for both ground- and surface-water supplies to guarantee the capability of Manatee County to provide treated water in amounts required to meet projected 2010 demand.

Implementation Mechanism:

- (a) Capital expenditures by the Manatee County ~~Public Works~~ Utilities Operations Department to achieve compliance with this policy.

Policy: 9.5.3.5

Protect all public supply wells from incompatible uses. (See Objective 2.6.1 and associated policies)

Implementation Mechanism(s):

- (a) Public supply potable water wells to be mapped on the Future Land Use Map.
- (b) Inclusion of policies for the siting of development near public supply wells in the Land Development Code consistent with this policy.

Policy: 9.5.5.3

Assess a fair share of recurrent operating, maintenance, and renewal and replacement costs associated with the potable water supply, treatment, and distribution system through recurrent user charges.

Implementation Mechanism:

- (a) ~~Public Works~~ Utilities Operations Department and Financial Management Department collection of adequate and appropriate fees from the potable water customer base to offset operation and maintenance costs.

Policy: 9.5.5.4 Annually designate a portion of the operational and capital improvements budgets to be used for the identification and correction of existing deficiencies in the potable water distribution network.

Implementation Mechanism:

- (a) Capital and operating expenditures by the ~~Public Works~~ Utilities Operations Department and Financial Management Department to identify and correct existing deficiencies.

Policy: 9.6.1.1 Require new development to connect to the County potable water system when water supply and service are reasonably available, except for single family homes on lots of record.

Implementation Mechanism(s):

- (a) ~~Public Works~~ Utilities Operations, Planning, and Building Departments coordination to ensure policy compliance.
- (b) Revision of the Land Development Code and other appropriate regulatory documents to define reasonably available as substantially similar to language contained in 10D-6.042.

Policy: 9.6.2.1 Continue to require that new growth pay its full share of needed capital facilities, through payment of facility investment fees (or other such fees) to fund necessary expansion of water supply, treatment, storage, and major distribution systems associated with this growth. This requirement will also apply to any increases in wholesale customer commitments.

Implementation Mechanism:

- (a) wholesale and retail facility investment fees, or other fees, assessed by the Department of ~~Public Works~~ Utilities Operations and Financial Management Department in a manner consistent with this policy for application directly to costs of capital facility expansions, or for coverage of associated debt service.

PA-01-06/  
ORD 01-06

# BRADENTON HERALD

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P.O. Box 921  
Bradenton, FL 34206-0921  
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941/748-0411 ext. 7065

Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

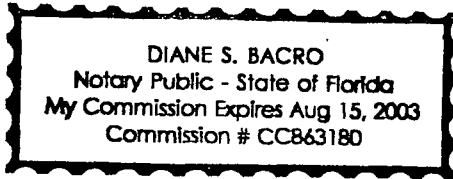
STATE OF FLORIDA  
COUNTY OF MANATEE;

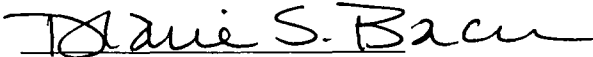
Before the undersigned authority personally appeared Sheila Dalesio, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of NOTICE OF CHANGE OF LAND USE in the Court, was published in said newspaper in the issues of MARCH 16, 2001.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature of Affiant)

Sworn to and subscribed before me this  
16<sup>th</sup> Day of March, 2001





SEAL & Notary Public  
Personally Known  OR Produced Identification   
Type of Identification Produced \_\_\_\_\_

# NOTICE OF CHANGE OF LAND USE AFFECTING PROPERTY IN UNINCORPORATED MANATEE COUNTY

The Manatee County Board of County Commissioners will hold a public hearing to consider and act upon an amendment to the Manatee County Comprehensive Plan and changes to the use of certain lands within the unincorporated area of Manatee County.

**Date:** Thursday, March 27, 2001

**Time:** 9:00 A.M. or soon thereafter

**Place:** Manatee County Government Administrative Center  
1112 Manatee Ave. West; Board Chambers (1st Floor)

## **PA-01-01 (ORDINANCE 01-01) - TROPICANA PRODUCTS, INC./MANATEE HEADSTART, INC.**

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to the Future Land Use Map from:

- 1) Parcels A (+/- 3.89 acres) & B (+/- 9.89 acres) - from RES-6 (Residential - 6 d.u.'s per acre) to IU (Industrial Urban) (+/- 13.78 total acres for both parcels).
- 2) Parcel C (+/- 0.62 acres) from ROR (Retail/Office/Residential) and IL (Industrial Light) to IU (Industrial Urban).

Parcels A & B are located east of an adjacent to 15th Street East directly south of its intersection with 17th Avenue East.

Parcel C is located along the south edge of the intersection of the CSX railroad ROW and US 41 (1st Street East) adjacent to the northern edge of the Red Barn Flea Market parking lot.

## **PA-01-02 (ORDINANCE 01-02) - F. BROWNE GREGG**

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to the Future Land Use Map from IL (Industrial Light) to P/SP(1) [Public/Semi-Public (1)] for certain land located at 3105 Buckeye Road and 11951 Bud Rhoden Road; providing for severability; and providing for an effective date (+/- 28.96 acres).

## **PA-01-03 (ORDINANCE 01-03) - RO RO INC.**

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an approval of an amendment to the Future Land Use Map of the Future Land Use Element of the Comprehensive Plan from Res 3 (Residential - 3 dwelling units/gross acre) to Res 6 (Residential - 6 dwelling units/gross acre) for a site located on the southeast corner of 63rd Avenue East and Big Pittsburgh Drain; providing for severability; and providing for an effective date (+/- 39.3 acres)

## **PA-01-04 (ORDINANCE 01-04) - COMMERCIAL LOCATION EXEMPTION FOR LARGE PROJECTS AND DEVELOPMENTS OF REGIONAL IMPACT (DRIs)**

Approval of text amendments to the Future Land Use Element of the 2020 Manatee County Comprehensive Plan providing an exception to commercial locational criteria for Developments of Regional Impacts (DRIs) and Large Projects exhibiting certain development characteristics.

## **PA-01-05 (ORDINANCE 01-05) - TEXT AMENDMENTS REGARDING ISSUANCE OF WATER LEVEL OF SERVICE CERTIFICATES**

Approval of text amendments to the Future Land Use Element of the 2020 Manatee County Comprehensive Plan to change the availability of obtaining a Certificate of Level of Service Compliance for potable water at DRI, Large Project, Preliminary Site Plan or equivalent preliminary approval stage to issuance of a Certificate of Level of Service Compliance for potable water at construction drawing approval stage, final site plan or equivalent approval to commence development.

## **PA-01-06 (ORDINANCE 01-06) - TEXT AMENDMENTS FOR OVERSIGHTS, CLARIFICATION AND NAME UPDATES**

Approval of text amendments to update portions of the 2020 Comprehensive Plan text due to oversights, department/agency name changes, clarification and for consistency.

## **PA-01-07 (ORDINANCE 01-07) - TEXT AMENDMENTS REGARDING REQUIREMENTS TO THE P/SP-1 (PUBLIC/SEMI-PUBLIC 1) FUTURE LAND USE CATEGORY REGARDING APPLICATION AND PROCESS**

Amendment proposes to add requirements to the P/SP-1 future land use category requiring:

1. declaration of specific use(s),
2. information regarding compatibility with adjacent uses,
3. planned development zoning.

## **PA-01-08 (ORDINANCE 01-08) - TEXT AMENDMENTS CLARIFYING CENTRAL WASTEWATER CONNECTION REQUIREMENTS WITHIN THE EVERS WATERSHED OVERLAY**

Approval to update text portions of the Wastewater Treatment Sub-Element of the 2020 Manatee County Comprehensive Plan to require connection to the central wastewater system within the WO-E (Watershed Overlay - Evers), when inside the wastewater treatment collection area, regardless of future land use category.

The public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution may be obtained from the Planning Department (see address below).

**Please Sent Comments To:** Manatee County Planning Department  
Attn: Agenda Coordinator  
1112 Manatee Ave. West, Suite 427  
Bradenton, FL 34206

All written comments will be entered into the record.

**For More Information:** Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 749-3070, Ext. 6829, between 8:00 AM and 5:00 PM.

**Americans with Disabilities:** The Board of County Commissioners of Manatee County do not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds; FAX 745-3790.

According to Section 286.0105, **Florida Statutes**, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

3/16/01

205509

PA-01-06/ORD 01-06

SARASOTA HERALD-TRIBUNE  
PUBLISHED DAILY  
SARASOTA, SARASOTA COUNTY, FLORIDA

MANATEE COUNTY PLANNING DEPT.

STATE OF FLORIDA  
COUNTY OF SARASOTA

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED MOYA NEVILLE, WHO ON OATH SAYS SHE IS ADVERTISING DIRECTOR OF THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN SARASOTA COUNTY DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT, BEING A NOTICE IN THE MATTER OF:

AMENDMENT - COMPREHENSIVE PLAN

IN THE COURT WAS PUBLISHED IN SARASOTA EDITION OF SAID NEWSPAPER IN THE ISSUES OF:

MARCH 16, 2001

AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN THE SAID NEWSPAPER.

*Moya Neville*

SIGNED \_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE ME THIS 16TH DAY OF MARCH A.D., 2001 BY MOYA NEVILLE WHO IS PERSONALLY KNOWN TO ME.

(SEAL) *[Signature]* \_\_\_\_\_

NOTARY PUBLIC

NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC968394  
MY COMMISSION EXP. OCT. 11, 2004

# **NOTICE OF CHANGE OF LAND USE AFFECTING PROPERTY IN UNINCORPORATED MANATEE COUNTY**

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Date: Tuesday, March 27  
Time: 9:00 A.M. or soon thereafter  
Place: Manatee County Government Administrative Center  
1112 Manatee Ave. West; Board Chambers (1st Floor)

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- 1) Parcels A (+/- 3.89 acres) & B (+/- 9.89 acres) - from RES-6 (Residential - 6 d.u.'s per acre) to IU (Industrial Urban) (+/- 13.78 total acres for both parcels).
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Parcels A & B are located east of and adjacent to 15th Street East directly south of its intersection with 17th Avenue East.

Parcel C is located along the south edge of the intersection of the CSX railroad ROW and US 41 (1st Street East) adjacent to the northern edge of the Red Barn Flea Market parking lot.

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## **PA-01-07 - (ORDINANCE 01-07) - TEXT AMENDMENTS REGARDING REQUIREMENTS TO THE P/SP-1 (PUBLIC/SEMI-PUBLIC 1) FUTURE LAND USE CATEGORY REGARDING APPLICATION AND PROCESS**

Amendment proposes to add requirements to the P/SP-1 future land use category requiring:

1. declaration of specific use(s),
2. information regarding compatibility with adjacent uses,
3. planned development zoning.

## **PA-01-08 - (ORDINANCE 01-8) - TEXT AMENDMENTS CLARIFYING CENTRAL WASTEWATER CONNECTION REQUIREMENTS WITHIN THE EVERS WATERSHED OVERLAY**

Approval of update text portions of the Wastewater Treatment Sub-Element of the 2020 Manatee County Comprehensive Plan to require connection to the central wastewater system within the WO-E (Watershed Overlay - Evers), when inside the wastewater treatment collection area, regardless of future land use category.

The Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Planning Commissioners to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution may be obtained from the Planning Department (see address below).

Comprehensive Plan to change the availability of obtaining a Certificate of Level of Service Compliance for potable water at DRI, Large Project, Preliminary Site Plan or equivalent preliminary approval stage to issuance of a Certificate of Level of Service Compliance for potable water at construction drawing approval stage, final site plan or equivalent approval to commence development.

**PA-01-06 - (ORDINANCE 01-06) - TEXT AMENDMENTS FOR OVERSIGHTS, CLARIFICATION AND NAME UPDATES**

Approval of text amendments to update portions of the 2020 Comprehensive Plan text due to oversights, department/agency name changes, clarification and for consistency.

**PA-01-07 - (ORDINANCE 01-07) - TEXT AMENDMENTS REGARDING REQUIREMENTS TO THE P/SP-1 (PUBLIC/SEMI-PUBLIC 1) FUTURE LAND USE CATEGORY REGARDING APPLICATION AND PROCESS**

Amendment proposes to add requirements to the P/SP-1 future land use category requiring:

1. declaration of specific use(s),
2. information regarding compatibility with adjacent uses,
3. planned development zoning.

**PA-01-08 - (ORDINANCE 01-8) - TEXT AMENDMENTS CLARIFYING CENTRAL WASTEWATER CONNECTION REQUIREMENTS WITHIN THE EVERS WATERSHED OVERLAY**

Approval of update text portions of the Wastewater Treatment Sub-Element of the 2020 Manatee County Comprehensive Plan to require connection to the central wastewater system within the WO-E (Watershed Overlay - Evers), when inside the wastewater treatment collection area, regardless of future land use category.

The Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Planning Commissioners to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution may be obtained from the Planning Department (see address below).

**Please Send Comments To: Manatee County Planning Department  
Attn: Agenda Coordinator  
1112 Manatee Ave. West, Suite 427  
Bradenton, FL 34206**

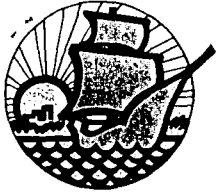
All written comments will be entered into the record.

**For More Information:** Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 749-3070, Ext. 6829, between 8:00 AM and 5:00 PM.

**Americans with Disabilities:** The Board of County Commissioners of Manatee County do not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds; FAX 745-3790.

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

4377481-0316



**MANATEE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**

March 27, 2001

Florida Department of Community Affairs  
Bureau of Local Planning  
Plan Processing Team  
2555 Shumard Oak Blvd.  
Tallahassee, Florida 32399-2100

Re: **2001 Cycle I Plan Amendments**

Dear Sir/Madam:

Manatee County hereby submits for review proposed Cycle I, 2001 plan amendments to the Manatee County Comprehensive Plan. These amendments were approved for transmittal by the Manatee County Board of County Commissioners at a public hearing session held on March 27, 2001. A second public hearing has been tentatively scheduled for September 25, 2001, at which time the plan amendments will be presented for adoption.

PA-01-01	Ord. 01-01	Tropicana/Head Start Map Amendment
PA-01-02	Ord. 01-02	F. Browne Gregg Map Amendment
PA-01-04	Ord. 01-04	Internal Commercial Large Projects and DRI's
PA-01-05	Ord. 01-05	Potable Water Level of Service
PA-01-06	Ord. 01-06	Clarifications/Oversights/Corrections
PA-01-07	Ord. 01-07	Revise P/SP(1) FLUC Application & Process

Enclosed are six copies of the Cycle I, 2001 Comprehensive Plan amendment documents, transmitted in accordance with Chapter 163, Florida Statutes; Chapter 9J-5, Florida Administrative Code; and Chapter 9J-11, Florida Administrative Code, for review by the Department of Community Affairs.

This package of amendments has also been transmitted to the Florida Department of Environmental Protection, Southwest Florida Water Management District, Florida Department of Transportation, and the Tampa Bay Regional Planning Council. **Manatee County requests that review of these amendments by all State agencies begin immediately.**



Department of Community Affairs  
2001 Cycle I Plan Amendment Transmittal  
March 27, 2001  
Page Two

None of the proposed revisions are applicable to an area of critical state concern. The proposed plan amendments included within this submittal are not within a Resource Planning and Management Area. These plan amendments are not an exemption to the twice-per-year calendar year limitation on the adoption of plan amendments, nor are they to be adopted under a joint planning agreement.

Any questions you may have concerning the proposed plan amendments may be directed to Michael Wood, AICP, Comprehensive Planning Administrator, at the address, telephone number or e-mail listed below:

Manatee County Planning Department  
Attn: Michael Wood, Administrator  
Comprehensive Planning Division  
1112 Manatee Avenue West  
Bradenton, FL 34205  
Telephone: (941) 749-3070  
[michael.wood@co.manatee.fl.us](mailto:michael.wood@co.manatee.fl.us)

Thank you for your assistance and cooperation.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA



JOE McCLASH  
Chairman

JM:MW:fl  
encl.

cc: Ernie Padgett, County Administrator  
Cycle I, 2001 Plan Amendment Correspondence File

1- Barbara - BCC

Orig. - Florie Lynch -  
Planning

3/29/01

DEW

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