

ORDINANCE NO. 17-12 (f/k/a 16-39)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY; REGARDING COMPREHENSIVE PLANNING; AMENDING MANATEE COUNTY ORDINANCE NO. 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A TEXT AMENDMENT TO THE FUTURE LAND USE AND TRAFFIC SUB-ELEMENTS TO ALLOW GENERAL DEVELOPMENT PLANS MEETING "LARGE PROJECT" STANDARDS THE OPTION TO REQUEST A CERTIFICATE OF LEVEL OF SERVICE FOR CONCURRENCY AND TO AMEND DEPARTMENT NAMES; PROVIDING FOR A PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING PROVISIONS OF THE COMPREHENSIVE PLAN TO PRESERVE INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and

WHEREAS, The Community Planning Act (the "Act") is codified in the applicable portions of Chapter 163, Part II, Florida Statutes (2016) as amended, empowers and requires the County (a) to plan for the county's future development and growth, and (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the County; and

WHEREAS, Manatee County Ordinance No. 89-01, as amended, was adopted pursuant to general law for the purpose of providing a framework for land use and development in the unincorporated area of Manatee County, and established the Manatee County Comprehensive Plan; and

WHEREAS, Application PA-16-04 initiated by the County is a request for a text amendment to the Future Land Use and Traffic Sub-Elements to allow General Development Plans meeting standards for Large Projects in the Land Development Code the option to request a Certificate of Level of Service for concurrency and to amend department names, and

WHEREAS, on December 8, 2016, at a duly noticed public hearing, the Manatee County Planning Commission, as the County's Local Planning Agency for purposes of the Act, considered Plan Amendment PA-16-04; and passed a motion to recommend transmittal of Plan Amendment PA-16-04 to the Board of County Commissioners; and

WHEREAS, after due public notice, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing on January 5, 2017, to consider Plan Amendment 16-04 and the transmittal of the proposed amendment to the State Land Planning Agency in accordance with the Act; and

WHEREAS, the State Land Planning Agency by letter dated February 8, 2017 identified no important State resources and facilities within the Department of Economic Opportunity's (DEO) authorized scope of review that would be adversely impacted by Plan Amendment PA-16-04, if adopted; and

WHEREAS, the Florida Department of Transportation by letter dated January 30, 2017

transmitted its review comments on Plan Amendment 16-04 and determined the text amendment is not anticipated to adversely impact State and Strategic Intermodal Systems (SIS) transportation facilities and offers no comments; and

WHEREAS, the Florida Department of Transportation by letter dated January 30, 2017 offered several Technical Assistance Comments; and,

WHEREAS, the Florida Department of Agriculture and Consumer Services by correspondence dated January 26, 2017, transmitted its review comments and determined no potential adverse impacts to state resources or facilities related to agricultural, aquacultural, or forestry resources; and,

WHEREAS, the Southwest Florida Water Management District by letter dated February 6, 2017 transmitted its review comments and determined the amendment does not appear to result in any adverse regional water resource related impacts and no comments are offered; and,

WHEREAS, the Florida Fish and Wildlife Conservation Commission (FWC) by correspondence dated January 17, 2017, offered no comments, recommendations or objections

WHEREAS, the staff of the Tampa Bay Regional Planning provided no comments in their review dated February 23, 2017; and,

WHEREAS, the Florida Department of Environmental Protection, by correspondence dated February 3rd, 2017, transmitted its review comments for Plan Amendment PA-16-04 and determined no provision in the Plan Amendment, if adopted, would adversely impact important State resources and facilities, specifically air and water pollution, wetlands and other surface waters of the State, federal and State owned lands and interests in lands including state parks, greenways and trails, conservation easements, solid waste, and water and wastewater treatment; and,

WHEREAS, the School District of Manatee County, by letter dated January 20, 2017 offered no comment or concern; and,

WHEREAS, pursuant to Section 163.3184, Florida Statutes (2016), on March 2, 2017 the Board of County Commissioners held an adoption public hearing, with due public notice having been provided, to consider said proposed amendment to the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners further considered all oral and written comments received during said public hearings, the recommendations of the Planning Commission, and the comments of the State Land Planning Agency and all applicable State or local review agencies; and

WHEREAS, in exercise of said authority, the Board of County Commissioners has determined that the adoption of Plan Amendment PA-16-04 would be consistent with the public interest and encourage the most appropriate use of land, water and resources; and

WHEREAS, all applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to Chapter 163, Part II, Florida Statutes

(2016), and the Plan Format and Administration Section of the Manatee County Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County that:

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

Section 2. Findings: The recitals set forth in the Whereas clauses above are true and correct and are hereby adopted as findings by the Board for the adoption of this Ordinance.

Section 3. Text Amendment: The Manatee County Comprehensive Plan, Future Land Use and Traffic Sub-Elements, are hereby amended as set forth below with additions indicated by underline and deletions by ~~strike-out~~ shall be amended as follows:

FUTURE LAND USE ELEMENT

Objective: 2.4.1

Level of Service And Concurrency: Require the issuance of a Certificate of Level of Service for all development to ensure that required public facilities and services are available concurrent with development.

Policy 2.4.1.1

As may be permitted by the Land Development Code, the following development orders or approvals may have an option to obtain a Certificate of Level of Service for traffic, mass transit, drainage, solid waste and parks facilities:

- 1) Development of Regional Impact development order, ~~or~~ Florida Quality Development, General Development Plans meeting Large Project standards of the Land Development Code or subsequent amendments thereto.
- 2) Preliminary subdivision plat approval, or equivalent development order.
- 3) Preliminary development plan, or equivalent development order.
- 4) Preliminary site plan, or equivalent development order.

The potable water, educational facilities and sanitary sewer components of concurrency will be reserved according to Policy 2.4.1.2.

Any development order that is applied for and that may be issued prior to requesting one or more development orders for the activities listed above (1 through 4) may be approved (where consistent with the goals/objectives/policies of this Comprehensive Plan and where

consistent with all other applicable development regulations) without the simultaneous issuance of a Certificate of Level of Service Compliance.

The educational facilities component of concurrency may be valid a maximum of five years unless an extended term is granted pursuant to a Development Agreement. In no instance shall the term of the educational facilities component exceed the Certificate of Level of Service Issued by affected local government.

TRAFFIC SUB-ELEMENT

Policy: 5.1.2.3

Implement the "current year" level of service (infrastructure) standard, or policy, for each functionally-classified roadway segment currently existing or scheduled for completion during the first year of the capital improvement program within the Capital Improvements Element of this Comprehensive Plan. These infrastructure standards may be revised annually to reflect the impact of improvements programmed for the current fiscal year, or be revised to reflect a change in the development character of an area from rural to urban. Where a project constituting a Development of Regional Impact, a Florida Quality Development (FQD) or a General Development Plan meeting Large Project standards of the Land Development Code is proposed, Manatee County may permit the use of a peak hour Level of Service Standard of "D" for traffic impact studies associated with the DRI, FQD or GDP meeting large project standards of the Land Development Code, on a roadway whose current year standard is (peak hour) "C", if the approval of the project constitutes a rural to urban change in land uses, and if a plan amendment changing the peak hour standard from "C" to "D" is approved simultaneous with the adoption of a DRI, FQD or GDP meeting large project standards development order.

- a) Implementation of Policies 5.1.2.1, 5.1.2.2, and 5.1.2.3 in a manner consistent with this policy.
- a) Level of Service Compliance review, and issuance of a Certificate of Level of Service Compliance by the Planning Public Works Department, where appropriate.

Policy: 5.2.3.2

Permit consideration of local development agreements that define and schedule specific roadway facilities to be improved by the developer of a project approved as a Development of Regional Impact (DRI), FQD, or General Development Plan meeting large project standards of the Land Development Code pursuant to Ch. 380, F.S. As used

~~in this policy the term local development agreements may include a DRI development order issued pursuant to s.380.06(15), F.S.~~ Where traffic impacts analyzed during review of the Development of Regional Impact, FQD or General Development Plan meeting large project standards of the Land Development Code, also:

cause the violation of adopted Level of Service Standards on certain roadways not to be improved under a local development agreement, or cause increased traffic volumes on roadways not to be improved under a local development agreement, and already in violation of adopted Level of Service Standards, then any local development agreement providing for improvements funded by a developer shall also contain best possible guarantees that necessary improvements are scheduled to all other roadways on which the DRIs, FQDs or GDP's meeting large project standards of the Land Development Code impacts are analyzed, and that are projected to exhibit a violation of adopted Level of Service Standards. Best possible guarantees for funding these other scheduled improvements shall also be identified in the local development agreement.

Best possible scheduling and funding guarantees may include Florida Department of Transportation commitments to the improvements within the first three years of the adopted 5-year work program, other local government programming of construction of the improvements within the first three years of the adopted 5-year capital improvements program, Manatee County's inclusion of construction of the improvements in the first three years of the adopted 5-year capital improvements program, or completion of improvements pursuant to another local development agreement.

The sole intent of this policy is to facilitate and provide incentives for appropriate development to occur as a Development of Regional Impact, Florida Quality Development or General Development Plan meeting large project standards of the Land Development Code where such development has paid for a fair share of needed infrastructure within Manatee County.

Implementation Mechanism:

- a) Local development agreements negotiated ~~as part of~~ to provide mitigation required pursuant to a development order issued for a Development of Regional Impact, a Florida Quality Development or

a General Development Plan meeting large project standards of the Land Development Code, pursuant to s.380.06(15), F.S.

#####

CORRECT DEPARTMENT NAME

Policy: 2.4.1.6

Implementation Mechanism:

- a) Building and Development Services Department review of all applications for building permits to verify the existence of a valid Certificate of Level of Service Compliance for that

Policy: 5.1.1.1

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services and Public Works Departments maintenance of the Future Traffic Circulation Map Series pursuant to this policy and implementation of the map series requirements through adoption and implementation of land development regulations consistent with this policy.

Policy: 5.1.1.3

Implementation Mechanism:

- a) Coordination between Manatee County Planning Building and Development Services and Public Works Departments to effectuate this policy.

Policy: 5.1.1.4

Permit the update of the Existing Roadway Functional Classification Map, when appropriate, through an administrative procedure established by, and administered by authorized personnel within the Manatee County Planning Building and Development Services Department. The administrative procedure shall include the notification of, and approval by, the Board of County Commissioners of the updated functional classification of a roadway to the Board of County Commissioners.

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Implementation Mechanism(s):

- a) Manatee County Planning Building and Development Services Department procedures consistent with this policy.

- b) Manatee County Public Works Department participation in any administrative procedure established under this policy.

Policy: 5.1.1.5

Implementation Mechanism:

- (a) Manatee County Planning Building and Development Services Department review of proposed projects for compliance with this policy.

Policy: 5.1.1.8

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services Department coordination with the MPO, FDOT, and Public Works Department to review or prepare proposed amendments to the Future Traffic Circulation Maps, including review for consistency with the Comprehensive Plan Elements.

Policy: 5.1.2.4

- b) Manatee County Planning Building and Development Services Department use of Florida Department of Transportation Level of Service software and/or tables to derive peak hour maximum service traffic volumes for maintaining adopted level of service.

Policy: 5.2.1.2

Implementation Mechanism:

- a) Planning Building and Development Services and Public Works Departments study and proposal of amendments to the Traffic Circulation Map Series consistent with this policy.

Policy: 5.2.1.5

Implementation Mechanism(s):

- a) Update as needed, by the Manatee County Planning Building and Development Department and Public Works Departments, of the Future Traffic Circulation: Rights of Way Needs Map (Map 5C), a Rights-of Way Needs Table (Table 5.1), Existing Roadway Functional Classification Map (Map 5A), and land development regulations consistent with this policy.

Policy: 5.2.1.6

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services and Public Works

Departments maintenance of land development regulations consistent with this policy.

Policy: 5.2.2.1

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services Department and Public Works Departments review of all proposed projects for compliance with the location and right-of-way requirements referenced in this policy, where applicable.

Policy: 5.2.2.3

Implementation Mechanism(s):

- a) Coordination between the Manatee County Public Works, Building and Development Services ~~Department and the Planning Department~~, and the Florida Department of Transportation to recommend, as necessary,

Policy: 5.2.2.5

Implementation Mechanism:

- a) Coordination between the ~~Planning Department~~ Building and Development Services and Public Works Departments to recommend development order conditions addressing access to ensure compliance with this policy.

Policy: 5.2.2.6

- b) Issuance of negative recommendations by the ~~Planning Department or~~ Building and Development Services Department for either:

Policy: 5.2.2.8

Implementation Mechanism:

- a) Review by the Manatee County Public Works and the Planning Building and Development Services Departments to ensure consistency with this policy, and recommendations to the Board of County Commissioners, as required by this policy.

Policy: 5.2.2.11

Implementation Mechanism:

- a) Review by the ~~Planning Department~~ Building and Development Services and ~~the~~ Public Works Departments of the proposed circulation patterns.

Policy: 5.2.2.12

Implementation Mechanisms:

- a) Coordinated review of development proposals by

the Planning Building and Development Services and Public Works Departments.

- b) Amendment to the Land Development Code to implement policy.

Policy: 5.2.3.1

Implementation Mechanism:

- a) Level of Service Compliance review, and issuance of a Certificate of Level of Service Compliance by the Planning Public Works Department, where appropriate.

Policy: 5.2.3.3

Implementation Mechanism:

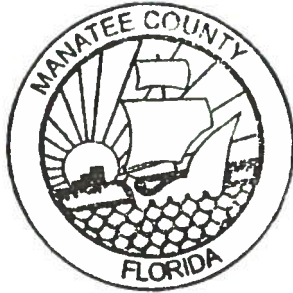
- a) Planning, Building and Development Services, Financial Management and Public Works Departments coordination to develop ordinance.

Section 4. Severability: If any part, section, subsection, or other portion of this Ordinance, or any application thereof to any person or circumstance is declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

Section 5. Codification: The publisher of the County's Comprehensive Plan, the Municipal Code Corporation, is directed to incorporate the amendments in Sections 3 of this Ordinance into the Comprehensive Plan.

Section 6. Effective Date: The effective date of this Plan Amendment, PA-16-04 if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies Manatee County that the adopted plan amendment package for Plan Amendment PA-16-04 is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits or land uses dependent on this Plan Amendment PA-16-04 may be issued or commence before it has become effective.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting this 2nd day of March, 2017.



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

By: 
Betsy Benac, Chairman

ATTEST: **ANGELINA COLONNESO**
Clerk of the Circuit Court and Comptroller

By: 
Deputy Clerk



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 3, 2017

Honorable Angelina Coloneso
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Quantana Acevedo, Deputy Clerk

Dear Ms. Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 17-12, which was filed in this office on March 3, 2017.

Sincerely,


Ernest L. Reddick
Program Administrator

ELR/lb

From: ords@municode.com
To: lisa.barrett@mymanatee.org; [Quantana Acevedo](#)
Subject: Manatee County, FL Comprehensive Plan (15530) Supplement 1
Date: Monday, March 06, 2017 3:08:15 PM
Attachments: [ATT00001.bin](#)
[ATT00002.bin](#)

****THIS IS AN AUTOMATICALLY GENERATED EMAIL****

Below, you will find the material that we have received/recorded to your account. This material is being considered for inclusion in your next/current update, Supplement 1

Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 17-03	3/2/2017	3/6/2017	Word
Ordinance No. 17-08	1/5/2017	1/11/2017	Word
 Ordinance No. 17-12	3/2/2017	3/6/2017	Word



Update the internet version of your Code more often than a printed supplement. We can update the Internet quarterly, monthly, even weekly.



We can post newly enacted ordinances in the online Code after each meeting.

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

Manatee County Government Administrative Building
First Floor - Chambers
March 2, 2017 - 9:00 a.m.

March 2, 2017 - Land Use Meeting
Agenda Item #4

Subject

PA-16-04/Ordinance 17-12 fka 16-39 - County Initiated Plan Amendment (Text) for Large Projects -
Legislative - Kathleen Thompson, AICP, Planning Manager

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Presenter:

Kathleen Thompson, AICP, Planning Manager,

941-748-4501 ext. 6841

Contact:

Bobbi Roy, Planning Coordinator, 941-748-4501 ext. 6878

APPROVED in Open Session
March 2, 2017
Manatee County Board of County
Commissioners

Action Requested

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 Community Planning Act, as codified in applicable portions of Chapter 163, Part II, Florida Statutes, and the Manatee County Comprehensive Plan, I move to ADOPT Plan Amendment PA-16-04, as recommended by the Planning Commission.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Florida Statutes Chapter 163, Part II

Background Discussion

Manatee County Government Administrative Building
First Floor - Chambers
March 2, 2017 - 9:00 a.m.

- In 2016, projects presumed to be a development of regional impact no longer have to go through the DRI process if consistent with the Comprehensive Plan.
- Existing DRI's continue to require county, regional and state review.
- Existing DRIs have been allowed to request a Certificate of Level of Service (CLOS) for Concurrency with a General Development Plan (GDP).
- Projects slightly less than a Development of Regional Impact are deemed a "large project" and have to meet all large project standards but are not eligible to request a Certificate of Level of Service with the associated General Development Plan.
- With no more DRI reviews for proposed development that are consistent with the Comprehensive Plan, staff is proposing a General Development Plan that meets "large project" standards be allowed to apply for a CLOS.
- Various department names have been corrected throughout the sections.
- On December 8, 2016, by a vote of 7 – 0, the Planning Commission recommended transmittal.
- On January 5, 2017, the Board of County Commissioners recommended transmittal.
- The Department of Economic Opportunity submitted their letter of "no comment" on February 8, 2017
- The following agencies responded with no comment: Florida Department of Agriculture and Consumer Services January 26, 2017; Fish and Wildlife Commission January 17, 2017; Florida Department of Environmental Protection February 3, 2017; Manatee County School District January 20, 2017; Tampa Bay Regional Planning Council February 23, 2017 and Southwest Florida Water Management District February 6, 2017.
- The Florida Department of Transportation on January 30, 2017 provided Technical Assistance Comments.
- Staff recommends adoption.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk reviewed and responded by email to Matter 2016-0785 on November 17, 2016.

Reviewing Attorney

Schenk

Instructions to Board Records

Please forward a copy of the signed Ordinance to bobbi.roy@mymanatee.org for distribution to the Florida Department of Economic Opportunity.

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Staff Report - PA-16-04 - Ord. 17-19 fka 16-39 Large Project Comp Plan Amendment.pdf](#)

Attachment: [Attachment 2-AgencyComments.pdf](#)

Attachment: [Attachment 3 - Newspaper Advertising.pdf](#)

Attachment: [Attachment 4 Ordinance 17-12 fka 16-39 DRaft.pdf](#)

BOCC: 3/2/17

**PA-16-04 / ORDINANCE 17-12 (f/k/a Ordinance 16-39)
COUNTY INITIATED TEXT AMENDMENT FOR LARGE PROJECTS**

PLAN AMENDMENT PA-16-04 / ORDINANCE 17-12 (f/k/a Ordinance 16-39)

An Ordinance of the Board of County Commissioners of Manatee County; regarding Comprehensive Planning; amending Manatee County Ordinance No. 89-01, as amended, the Manatee County Comprehensive Plan; providing for a Text Amendment to the Future Land Use and Traffic Sub-Elements to allow General Development Plans meeting "large project" standards the option to request a Certificate of Level of Service for Concurrency and to amend department names; providing for a purpose and intent; providing findings; amending provisions of the Comprehensive Plan to preserve internal consistency; providing for severability; and providing for an effective date.

P.C.: 12/8/2016

B.O.C.C. 01/5/2017 Transmittal

BOCC: 03/02/17 Adoption

App.Rec.: County Initiated

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 Community Planning Act, as codified in applicable portions of Chapter 163, Part II, Florida Statutes, and the Manatee County Comprehensive Plan, I move to ADOPT Plan Amendment PA-16-04, as recommended by the Planning Commission.

PLAN AMENDMENT SUMMARY SHEET

Name: County Initiated Text Amendment

File Number: PA-16-04/Ordinance-17-12 (f/k/a Ordinance 16-39)

REQUEST: Adoption of a Text Amendment

UPDATE

Staff received a “no comment” letter from the Department of Economic Opportunity (DEO) dated February 8, 2017.

The following agencies responded with “no comment” or “no objection”

Florida Dept of Ag and Consumer Services 01/26/17

FDOT 01/30/17. However, FDOT did provide Technical Assistance Comments

Fish and Wildlife Commission 01/17/17

DEP 02/03/17

Manatee County School District 01/20/17

TBRPC 02/23/17

SWFWMD 02/06/17

BACKGROUND

During the 2016 Florida Legislative Session, effective July 1 2016, a provision of the law amended § Section 380.06(30) Development of Regional Impact (DRI) that removed the requirement for projects presumed to be a development of regional impact from having to go through the DRI process. Existing DRI’s continue to require county, regional and state review.

Existing DRIs have been allowed to request a Certificate of Level of Service (CLOS) for Concurrency with a General Development Plan (GDP). The DRI review process was the most in-depth and detailed. Projects that were slightly less than a Development of Regional Impact were deemed a “large project”. The LDC Section 349.1 currently lists criteria to determine if a project is considered a “large project”. The criteria was typically based on 80% - 120% of the DRI thresholds. Today, a development considered a “large project” has to meet all large project standards but is not eligible to request a Certificate of Level of Service with the associated General Development Plan.

Since there are no more DRI reviews for proposed development that is consistent with the Comprehensive Plan, staff is proposing a GDP that meets “large project” standards be allowed to apply for a CLOS. Water, sewer and educational facilities components of the CLOS will still be issued at the final development stage - not at the general development stage. A Local Developer Agreement (LDA) could be executed to extend the life of the CLOS if necessary.

Various department names have been corrected throughout the sections.

Staff recommends adoption.

The proposed Comprehensive Plan Amendments are shown in ~~strike-through~~ and underline format as follows:

FUTURE LAND USE ELEMENT

Objective: 2.4.1

Level of Service And Concurrency: Require the issuance of a Certificate of Level of Service for all development to ensure that required public facilities and services are available concurrent with development.

Policy 2.4.1.1

As may be permitted by the Land Development Code, the following development orders or approvals may have an option to obtain a Certificate of Level of Service for traffic, mass transit, drainage, solid waste and parks facilities:

- 1) Development of Regional Impact development order, ~~or~~ Florida Quality Development, General Development Plans meeting Large Project standards of the Land Development Code or subsequent amendments thereto.
- 2) Preliminary subdivision plat approval, or equivalent development order.
- 3) Preliminary development plan, or equivalent development order.
- 4) Preliminary site plan, or equivalent development order.

The potable water, educational facilities and sanitary sewer components of concurrency will be reserved according to Policy 2.4.1.2.

Any development order that is applied for and that may be issued prior to requesting one or more development orders for the activities listed above (1 through 4) may be approved (where consistent with the goals/objectives/policies of this Comprehensive Plan and where consistent with all other applicable development regulations) without the simultaneous issuance of a Certificate of Level of Service Compliance.

The educational facilities component of concurrency may be valid a maximum of five years unless an extended term is granted pursuant to a Development Agreement. In no instance shall the term of the educational facilities component exceed the Certificate of Level of Service Issued by affected local government.

TRAFFIC SUB-ELEMENT

Policy: 5.1.2.3

Implement the "current year" level of service (infrastructure) standard, or policy, for each functionally-classified roadway segment currently existing or scheduled for completion during the first year of the capital improvement program within the Capital Improvements Element of this Comprehensive Plan. These infrastructure standards may be revised annually to reflect the impact of improvements programmed for the current fiscal year, or be revised to reflect a change in the development character of an area from rural to urban. Where a project constituting a Development of Regional Impact, a Florida Quality Development (FQD) or a General Development Plan meeting Large Project standards of the Land Development Code is proposed, Manatee County may permit the use of a peak hour Level of Service Standard of "D" for traffic impact studies associated with the DRI, FQD or GDP meeting large project standards of the Land Development Code, on a roadway whose current year standard is (peak hour) "C", if the approval of the project constitutes a rural to urban change in land uses, and if a plan amendment changing the peak hour standard from "C" to "D" is approved simultaneous with the adoption of a DRI, FQD or GDP meeting large project standards development order.

- a) Implementation of Policies 5.1.2.1, 5.1.2.2, and 5.1.2.3 in a manner consistent with this policy.
- a) Level of Service Compliance review, and issuance of a Certificate of Level of Service Compliance by the Planning Public Works Department, where appropriate.

Policy: 5.2.3.2

Permit consideration of local development agreements that define and schedule specific roadway facilities to be improved by the developer of a project approved as a Development of Regional Impact (DRI), FQD, or General Development Plan meeting large project standards of the Land Development Code pursuant to Ch. 380, F.S. As used in this policy the term local development agreements may include a DRI development order issued pursuant to s.380.06(15), F.S. Where traffic impacts analyzed during review of the Development of Regional Impact, FQD or General Development Plan meeting large project standards of the Land Development Code, also:

cause the violation of adopted Level of Service Standards on certain roadways not to be improved under a local development agreement, or cause increased traffic volumes on roadways not to be improved under a local development agreement, and already in violation of adopted Level of Service Standards, then any local development agreement

providing for improvements funded by a developer shall also contain best possible guarantees that necessary improvements are scheduled to all other roadways on which the DRIs, FQDs or GDP's meeting large project standards of the Land Development Code impacts are analyzed, and that are projected to exhibit a violation of adopted Level of Service Standards. Best possible guarantees for funding these other scheduled improvements shall also be identified in the local development agreement.

Best possible scheduling and funding guarantees may include Florida Department of Transportation commitments to the improvements within the first three years of the adopted 5-year work program, other local government programming of construction of the improvements within the first three years of the adopted 5-year capital improvements program, Manatee County's inclusion of construction of the improvements in the first three years of the adopted 5-year capital improvements program, or completion of improvements pursuant to another local development agreement.

The sole intent of this policy is to facilitate and provide incentives for appropriate development to occur as a Development of Regional Impact, Florida Quality Development or General Development Plan meeting large project standards of the Land Development Code where such development has paid for a fair share of needed infrastructure within Manatee County.

Implementation Mechanism:

- a) Local development agreements negotiated ~~as part of~~ to provide mitigation required pursuant to a development order issued for a Development of Regional Impact, a Florida Quality Development or a General Development Plan meeting large project standards of the Land Development Code. ~~pursuant to s.380.06(15), F.S.~~

#####

CORRECT DEPARTMENT NAME

Policy: 2.4.1.6

Implementation Mechanism:

- a) Building and Development Services Department review of all applications for building permits to verify the existence of a valid Certificate of Level of Service Compliance for that

Policy: 5.1.1.1

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services and Public Works Departments maintenance of the Future Traffic Circulation Map Series pursuant to this policy and implementation of the map series requirements through adoption and implementation of land development regulations consistent with this policy.

Policy: 5.1.1.3

Implementation Mechanism:

- a) Coordination between Manatee County Planning Building and Development Services and Public Works Departments to effectuate this policy.

Policy: 5.1.1.4

Permit the update of the Existing Roadway Functional Classification Map, when appropriate, through an administrative procedure established by, and administered by authorized personnel within the Manatee County Planning Building and Development Services Department. The administrative procedure shall include the notification of, and approval by, the Board of County Commissioners of the updated functional classification of a roadway to the Board of County Commissioners.

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Implementation Mechanism(s):

- a) Manatee County Planning Building and Development Services Department procedures consistent with this policy.
- b) Manatee County Public Works Department participation in any administrative procedure established under this policy.

Policy: 5.1.1.5

Implementation Mechanism:

- (a) Manatee County Planning Building and Development Services Department review of proposed projects for compliance with this policy.

Policy: 5.1.1.8

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services Department coordination with the MPO, FDOT, and Public Works Department to review or prepare proposed amendments to the Future Traffic Circulation Maps, including review for consistency with the Comprehensive Plan Elements.

Policy: 5.1.2.4 b) Manatee County Planning Building and Development Services Department use of Florida Department of Transportation Level of Service software and/or tables to derive peak hour maximum service traffic volumes for maintaining adopted level of service.

Policy: 5.2.1.2 Implementation Mechanism:
a) Planning Building and Development Services and Public Works Departments study and proposal of amendments to the Traffic Circulation Map Series consistent with this policy.

Policy: 5.2.1.5 Implementation Mechanism(s):
a) Update as needed, by the Manatee County Planning Building and Development Department and Public Works Departments, of the Future Traffic Circulation: Rights of Way Needs Map (Map 5C), a Rights-of Way Needs Table (Table 5.1), Existing Roadway Functional Classification Map (Map 5A), and land development regulations consistent with this policy.

Policy: 5.2.1.6 Implementation Mechanism:
a) Manatee County Planning Building and Development Services and Public Works Departments maintenance of land development regulations consistent with this policy.

Policy: 5.2.2.1 Implementation Mechanism:
a) Manatee County Planning Building and Development Services Department and Public Works Departments review of all proposed projects for compliance with the location and right-of-way requirements referenced in this policy, where applicable.

Policy: 5.2.2.3 Implementation Mechanism(s):
a) Coordination between the Manatee County Public Works, Building and Development Services ~~Department and the Planning Department~~, and the Florida Department of Transportation to recommend, as necessary,

Policy: 5.2.2.5 Implementation Mechanism:

- a) Coordination between the ~~Planning Department~~ Building and Development Services and Public Works Departments to recommend development order conditions addressing access to ensure compliance with this policy.

Policy: 5.2.2.6

- b) Issuance of negative recommendations by the ~~Planning Department or~~ Building and Development Services Department for either:

Policy: 5.2.2.8

Implementation Mechanism:

- a) Review by the Manatee County Public Works and the ~~Planning~~ Building and Development Services Departments to ensure consistency with this policy, and recommendations to the Board of County Commissioners, as required by this policy.

Policy: 5.2.2.11

Implementation Mechanism:

- a) Review by the ~~Planning Department~~ Building and Development Services and ~~the~~ Public Works Departments of the proposed circulation patterns.

Policy: 5.2.2.12

Implementation Mechanisms:

- a) Coordinated review of development proposals by the ~~Planning~~ Building and Development Services and Public Works Departments.
- b) Amendment to the Land Development Code to implement policy.

Policy: 5.2.3.1

Implementation Mechanism:

- a) Level of Service Compliance review, and issuance of a Certificate of Level of Service Compliance by the ~~Planning~~ Public Works Department, where appropriate.

Policy: 5.2.3.3

Implementation Mechanism:

- a) Planning, Building and Development Services, Financial Management and Public Works Departments coordination to develop ordinance.

ATTACHMENTS:

1. Consistency with Florida Statutes and State Comprehensive Plan
2. Agency Comments
3. Newspaper Advertising
4. Ordinance 17-12

ATTACHMENT 1

**CONSISTENCY OF THE LOCAL COMPREHENSIVE PLAN AMENDMENT
WITH FLORIDA STATUTES**

Plan Amendment PA-16-04/Ordinance 17-12 (f.k.a. Ord.16-39)

The proposed amendment is consistent with
Chapter 163, Part II, Florida Statutes

163.3184 Process for adoption of comprehensive plan or plan amendment states “in compliance” means consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245 and 163.3248

163.3177 Required and optional elements of comprehensive plan;
studies and surveys

This plan amendment request maintains the structure of the Comprehensive Plan.

163.3178 Coastal Management

This plan amendment request maintains the structure of the Comprehensive Plan.

163.3180 Concurrency

This plan amendment request maintains the structure of the Comprehensive Plan.

163.3191 Evaluation and appraisal of comprehensive plan

The county has determined there is no need to amend the Comprehensive Plan through the Evaluation and Appraisal process (December 2013).

163.3245 Sector plans

There are no sector plans established at this time.

163.3248 Rural Land Stewardship areas

There are no Rural Land Stewardship areas established at this time.

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

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

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

February 8, 2017

The Honorable Betsy Benac
Chairman, Manatee County
Board of County Commissioners
1112 Manatee Avenue West
Post Office Box 1000
Bradenton, Florida 34206-1000

Dear Chairman Benac:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Manatee County (Amendment 17-1ESR), which was received on January 12, 2017. We have reviewed the proposed amendment in accordance with the expedited state review process set forth in Sections 163.3184(2) and (3), Florida Statutes (F.S.), for compliance and identified no comments related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3) (b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption. The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment.

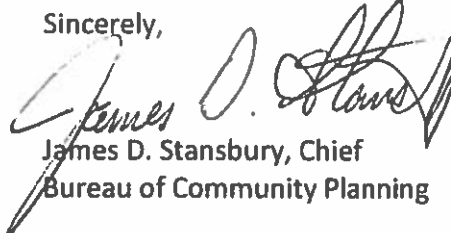
The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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We appreciated the opportunity to work with the Manatee County staff in the review of the amendment. If you have any questions related to this review, please contact Beau Scott, at (850) 717-8515, or by email at Beau.Scott@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning

JS/bs

Enclosure(s): Procedures for Adoption

cc: Ms. Kathleen Thompson, AICPP, Planning Manager, Manatee County
Ms. Bobbi Roy, Planning Coordinator, Manatee County
Mr. Sean T. Sullivan, Executive Director, Tampa Bay Regional Planning Council

OFFICE OF THE COMMISSIONER
(850) 617-7700



THE CAPITOL
400 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-0800

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

January 26, 2017

VIA EMAIL (lisa.barrett@mymanatee.org)

Manatee County Building and Development Services Department
Ms. Lisa Barrett
Comprehensive Planning Division/Public hearings
1112 manatee Avenue West, 5th Floor
Bradenton, FL 34205

Re: DACS Docket # -- 20170112-863
Manatee PA-16-04/Ordinance 17-29
Submission dated January 5, 2017

Dear Ms. Barrett:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on January 12, 2017 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2289.

Sincerely,

Stormie Knight
Sr. Management Analyst I
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Manatee County 17-1 ESR)



Florida Department of Transportation

RICK SCOTT
GOVERNOR

801 N. Broadway Avenue
Bartow, FL 33830

JIM BOXOLD
SECRETARY

January 30, 2017

Kathleen Thompson, AICP
Planning Manager
Manatee County Comprehensive Planning Division/Public Hearings
1112 Manatee Avenue West, 5th Floor
Bradenton, FL 34205

**RE: Manatee County 17-1ESR Proposed Comprehensive Plan Amendment
(Expedited State Review Process) – FDOT Technical Assistance Comments**

Dear Ms. Thompson:

The Florida Department of Transportation (FDOT), District One, has reviewed the Manatee County 17-1ESR Proposed Comprehensive Plan Amendment (CPA). The proposed CPA was transmitted under the Expedited State Review process by the Manatee County Board of County Commissioner in accordance with the requirements of Florida Statutes Chapter 163. FDOT offers the following technical assistance comments.

The Manatee County 17-1ESR proposed CPA (locally named Plan Amendment PA-16-04/Ordinance 17-29) is a text amendment to amend the Future Land Use and Traffic Sub-Elements of the Manatee County Comprehensive Plan as follows:

- Allow General Development Plans (GDP) meeting "Large Project" standards, the option to request a Certificate of Level of Service (CLOS) for concurrency, similar to County's standards for existing developments of regional impact (DRI). Because there are no more DRI reviews for proposed development consistent with the Comprehensive Plan, the County is proposing that GDPs that meet the "large project" standards be allowed to apply for a CLOS.
- Amend department names.

FDOT Technical Assistance Comment #1:

Please correct the Manatee County Department name included in Policy: 5.2.1.5(a) from "Building and Development" to "Building and Development Services", consistent with the other sections of the Comprehensive Plan.

FDOT Technical Assistance Comment #2:

FDOT has determined that the text amendment associated with the proposed CPA is not anticipated to adversely impact State and Strategic Intermodal Systems (SIS) transportation facilities. **Therefore, FDOT offers no comments on the Manatee County 17-1ESR Proposed CPA.**

FDOT Technical Assistance Comment #3:

The new projects that meet the criteria for "Large Project" could serve both residential and non-residential developments. In an effort to minimize potential transportation impacts on State and SIS transportation facilities, and to lessen potential conflicts between the proposed uses and the surrounding neighborhoods, FDOT offers several initiatives to assist the County in creating quality developments while protecting future mobility on the regional roadway network. These include "Complete Streets"¹, modern roundabouts², and a commitment to bicycle and pedestrian safety³. In line with FDOT's mission to "... provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity and preserves the quality of environment and communities," FDOT welcomes the opportunity to partner with, and provide technical assistance to Manatee County to create developments that: 1) support multimodal transportation facilities for all users, and 2) that are in support of the principles that guide healthy community design, while utilizing complete streets concepts and standards.

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions or need to discuss these comments further, please contact me at (863) 519 - 2562 or Deborah.Chesna@dot.state.fl.us.

Sincerely,



Deborah Chesna
Complete Streets/Growth Management
Coordinator
FDOT District One

CC: *Mr. Ray Eubanks, Florida Department of Economic Opportunity*

¹ <http://www.flcompletestreets.com/>

² <http://www.dot.state.fl.us/rddesign/Roundabouts/Default.shtm>

³ <http://www.alerttodayflorida.com/>

Kathleen Thompson

From: Hight, Jason <Jason.Hight@MyFWC.com>
Sent: Tuesday, January 17, 2017 5:26 PM
To: DCPexternalagencycomments@deo.myflorida.com; Kathleen Thompson
Cc: Wagman, Jason; Wallace, Traci; Chabre, Jane
Subject: Manatee County 17-1 CPA-ESR (Manatee County PA-16-04)

Dear Ms. Thompson:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Jason Wagman at (941) 723-4505 or by email at Jason.Wagman@MyFWC.com.

Sincerely,

Jason Hight
Biological Administrator II
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 S. Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
(850) 228-2055

Manatee County 17-1 CPA-ESR_32233

Kathleen Thompson

From: Plan_Review (Shared Mailbox) <Plan.Review@dep.state.fl.us>
Sent: Friday, February 03, 2017 2:29 PM
To: Kathleen Thompson; DCPexternalagencycomments
Subject: Manatee County 17-1ESR Proposed

To: Kathleen Thompson, Planning Manager

Re: Manatee County 17-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

***Please note the new contact information below.**

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review
2600 Blair Stone Rd. MS 47
Tallahassee, Florida 32399-2400





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Diana Greene Ph.D.

1 Matzke Way
Bradenton, Florida
34208
PH. (941) 708-8800
FAX. (941) 708-8832
www.manateeschools.net

SCHOOL DISTRICT OF MANATEE COUNTY

MEMORANDUM

TO: Manatee County Government Planners
FROM: Mike Pendley, Executive Planner
DATE: January 20, 2017
SUBJECT: August & September School Report – No Comments - MCG

Please note the following development applications have been reviewed by School District Staff. The School District has no concerns at this time.

1. PA-16-04/ORD-16-39 20160309(1) County Initiated Comprehensive Plan Text Amendment – Kathleen Thompson
2. CDD-16-01 20160316(1) Aqua by the Bay – Fred Goodrich
3. 05-S-86(P)(R2) 20160051(2) Warner Crossing – Fred Goodrich
4. DRI #5 20160339(1) Mosaic Fertilizer/Four Corners Mine 2015-16 Annual Report – Lisa Barrett
5. DRI #5 20160338(1) Mosaic Fertilizer/Altman 2015-16 Annual Report – Lisa Barrett
6. FSP-07-49(R4) 20160302(1) Bayside Community Church – Phase IV – Miles Gentry
7. FSP-16-42 20160303(1) Pentecostals of Bradenton Church – Tracy Trahan
8. FSP-16-36 20160272(1) FPL Manatee Energy Center Pavilion – Fred Goodrich
9. PDMU-06-80(P)/FSP-16-47 20160331(1) Gatewood Corporate Center at Lakewood Ranch – Margaret Tusing
10. AP-16-12 20160337(1) Cortez Center/Goodwill Manasota – James Rigo
11. AP-16-11 20160345(1) Goodwill – Ave Maria – James Rigo
12. PDPM-05-45(P)/FSP-16-48 20160340(1) VCNA Prestige Concrete-Port Manatee Plan – James Rigo

13. PDPM-05-45/OP-16-05(R) 20160385(1) Gulf Coast Bulk Equipment at Port Manatee – James Rigo
14. PDC-14-29/FSP-16-50 20160373(1) Burger King at Westlake Plaza – Tracy Trahan
15. PDPI-14-40/FSP-16-58 20160367(1) North WRF EQ Tank – Tracy Trahan
16. Z-16-07 20160341(1) Robin’s Apartments, LLC – Branden Roe
17. PDMU-16-13(G) 20160327(1) IMG Enterprises, Inc./Ellenton Theater – Margaret Tusing
18. FSP-16-55 20160382(1) Fast Signs – Tracy Trahan
19. Z-16-08 20160360(1) Garland, Charles Richard and Gertrude M. – Barney Salmon
20. FSP-16-53 20160386(1) Tuffy Tire & Auto Service – Fred Goodrich
21. FSP-16-63 20160409(1) Lots 9 & 10 Jarmarc Industrial Park – James Rigo
22. FSP-16-61 20160410(1) Lots 15 & 16 Jarmarc Industrial Park – James Rigo
23. PDMU-98-08(G)(R6)/FSP-16-54 20160381(1) Heritage Harbour Parcel 27 – Taco Bell – James Rigo
24. FSP-16-52 20160372(1) AAA Storage HWY 41 Expansion – Tracy Trahan

Bobbi Roy

From: Lisa Barrett
Sent: Thursday, February 23, 2017 7:26 PM
To: Kathleen Thompson
Cc: Bobbi Roy
Subject: Fwd: Manatee County DEO #17-1ESR - No comments from TBRPC

Sent from my iPhone

Begin forwarded message:

From: "Brady Smith, AICP, CFM" <brady@tbrpc.org>
Date: February 23, 2017 at 6:15:07 PM EST
To: "lisa.barrett@mymanatee.org" <lisa.barrett@mymanatee.org>
Cc: Reviews <reviews@tbrpc.org>
Subject: Manatee County DEO #17-1ESR - No comments from TBRPC

Dear Ms. Barrett,

TBRPC has no comments related to the proposed comprehensive plan amendment identified by the state land planning authority at Manatee County DEO#17-1 ESR.

The proposed amendment will be listed in the Local Government Comprehensive Plan Amendment Reviews Summary that will be included in the meeting agenda packet for TBRPC's March 13, 2017 meeting (Agenda Item #3.H).

Sincerely,

Brady Smith, AICP, CFM

Principal Planner

TAMPA BAY REGIONAL PLANNING COUNCIL

4000 Gateway Centre Blvd.

Suite 100

Pinellas Park, FL 33782-6141

727-570-5151, Ext 42 brady@tbrpc.org @TampabayRPC

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Local Government Comprehensive Plan Amendment Reviews - February 2017
(1/10/17 – 3/1/17)

DATE REC'D	JURISDICTION	DEO #	LOCAL GOVT. REFERENCE	TYPE (TEXT OR MAP)	ELEMENTS/ SECTIONS AFFECTED	AMENDMENT SUMMARY	TBRPC REVIEW COMMENTS? (Y/N)	TBRPC TECHNICAL ASSISTANCE COMMENTS? (Y/N)
1/10/17	City of New Port Richey	17-1ESR	# LUP2015-02	Map	Future Land Use Map (FLUM)	<p>Proposed Future Land Use Map (FLUM) amendment for a 10.21± acre subject property. Subject property is located on the west side of US Highway 19, approx. 1,070 feet north of Trouble Creek Road. Current FLUM designation is High Density Residential-30 (HDR-30). Proposed FLUM designation is Highway Commercial (HC) (8.51± acres) and Conservation (CON) (1.7± acres).</p> <p>Link to transmittal documents (use Internet Explorer): https://papers.deo.myflorida.com/FloridaPapers/FlashAug16/Model/documentView.cfm?UserID=6239&AreaID=11&DocumentID=469764</p>	N	N
1/11/17	Manatee County	17-1 ESR	# PA-16-04	Text	Future Land Use Element and Traffic sub-element	<p>Adds language to various policies to allow for the request/issuance a Certificate of Level of Service (CLOS) with the associated General Development Plan for "large projects." Large project criteria are listed in the County's Land Development Code (LDC Section 349.1).</p> <p>Link to transmittal documents (use Internet Explorer): https://papers.deo.myflorida.com/FloridaPapers/FlashAug16/Model/documentView.cfm?UserID=6239&AreaID=11&DocumentID=469760</p>	N	N
1/17/17	Manatee County	17-2 ESR	# PA-16-09	Text and Map	Future Land Use Element, Aviation Sub-element, and Definitions Section	<p>Establishes the Airport Impact (AI) Overlay District with new/updated policies in the Future Land Use Element and Aviation Sub-element. Adds the AI Overlay District to Map 22 of the Future Land Use Map Series. Deletes three (3) Airport Surfaces Maps from Aviation Sub-element and moves them to the County's Land Development Code. Amends the Noise Exposure Map to reflect a more recent study. Adds/deletes/amends airport-related definitions to conform/comply with Ch. 333, Florida Statutes.</p> <p>Link to transmittal documents (use Internet Explorer): https://papers.deo.myflorida.com/FloridaPapers/FlashAug16/Model/documentView.cfm?UserID=6239&AreaID=11&DocumentID=469765</p>	N	N

DATE REC'D	JURISDICTION	DEO #	LOCAL GOVT. REFERENCE	TYPE (TEXT OR MAP)	ELEMENTS/ SECTIONS AFFECTED	AMENDMENT SUMMARY	TBRPC REVIEW COMMENTS? (Y/N)	TBRPC TECHNICAL ASSISTANCE COMMENTS? (Y/N)
1/26/17	Hernando County	17-1 ESR	# CPAM1604 # CPAM1605 # CPAM1606 # CPAM1607 # CPAM1608	Map	Future Land Use Map (FLUM)	<p>This transmittal package contains five (5) proposed FLUM amendments:</p> <p><u>CPAM1604</u>: 37.3± acre County-owned parcel on south side of Cofer Road west and north of Shoal Line Boulevard. Current FLUM designation is Public Facility. Proposed FLUM designation is Conservation.</p> <p><u>CPAM1605</u>: 25± acre parcel on west side of Anderson Snow Road at Edward R Noll Drive. Current FLUM designation is Airport Planned Development Project. Proposed FLUM designation is Residential.</p> <p><u>CPAM1606</u>: 15.96± acre parcel on north side of County Line Road east of the Suncoast Parkway. Current FLUM designation is Residential. Proposed FLUM designation is Commercial.</p> <p><u>CPAM1607</u>: 68.1± acre parcel on west side of US Highway 19 north and south of Pepper Street/Applegate Drive. Current FLUM designation is Public Facility. Proposed FLUM designation is Commercial.</p> <p><u>CPAM1608</u>: 15.3± acre parcel on south side of Osowaw Boulevard east of the Forest Glenn Subdivision. Current FLUM designation is Public Facility. Proposed FLUM designation is Residential.</p> <p>Link to transmittal documents (use Internet Explorer): https://papers.deo.myflorida.com/FloridaPapers/FlashAug16/Model/documentView.cfm?UserID=6239&AreaID=11&DocumentID=469835</p>	N	N
2/6/17	City of Tarpon Springs	17-1ESR	App. #16-75	Map	Future Land Use Map (FLUM)	<p>69.78± acre subject property at the northeast corner of the intersection of Keystone Road and North Highland Avenue. Current FLUM designation is Residential Rural (RR). Proposed FLUM designation is Residential Very Low (RVL) and Preservation (P).</p> <p>Link to transmittal documents (use Internet Explorer): https://papers.deo.myflorida.com/FloridaPapers/FlashAug16/Model/documentView.cfm?UserID=6239&AreaID=11&DocumentID=469856</p>	N	N

DATE REC'D	JURISDICTION	DEO #	LOCAL GOVT. REFERENCE	TYPE (TEXT OR MAP)	ELEMENTS/ SECTIONS AFFECTED	AMENDMENT SUMMARY	TBRPC REVIEW COMMENTS? (Y/N)	TBRPC TECHNICAL ASSISTANCE COMMENTS? (Y/N)
2/6/17	City of Tarpon Springs	17-2ESR	App. #16-21	Text	Future Land Use Element	Amends the City's Residential Very Low (RVL) Future Land Use Map designation to provide consistency with the Pinellas Countywide RVL Future Land Use Map designation. Link to transmittal documents (use Internet Explorer): https://papers.deo.myflorida.com/FloridaPapers/FlashAug16/Model/documentView.cfm?UserID=6239&AreaID=11&DocumentID=469855	N	N



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(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

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Citrus, Lake, Levy, Sumter

Vacant
Hillsborough, Pinellas

Brian J. Armstrong, P.G.
Executive Director

February 6, 2017

Ms. Kathleen Thompson, AICP
Planning Manager
Manatee County
Comprehensive Planning Division
1112 Manatee Avenue West, 5th Floor
Bradenton, FL 34205

Subject: **Manatee 17-1ESR**

Dear Ms. Thompson:

The Southwest Florida Water Management District (District) has reviewed the proposed amendment. It does not appear that the proposed amendment will result in any adverse regional water resource-related impacts. Therefore, we are not forwarding any comments for consideration.

We appreciate this opportunity to participate in the review process. If you have any questions or require further assistance, please do not hesitate to contact me at (352) 796-7211, extension 4790, or james.golden@watermatters.org.

Sincerely,

James J. Golden, AICP
Senior Planner

JG

cc: Ray Eubanks, DEO

From: Lisa Barrett
Sent: Thursday, February 23, 2017 7:26 PM
To: Kathleen Thompson
Cc: Bobbi Roy
Subject: Fwd: Manatee County DEO #17-1ESR - No comments from TBRPC

Sent from my iPhone

Begin forwarded message:

From: "Brady Smith, AICP, CFM" <brady@tbrpc.org>
Date: February 23, 2017 at 6:15:07 PM EST
To: "lisa.barrett@mymanatee.org" <lisa.barrett@mymanatee.org>
Cc: Reviews <reviews@tbrpc.org>
Subject: Manatee County DEO #17-1ESR - No comments from TBRPC

Dear Ms. Barrett,

TBRPC has no comments related to the proposed comprehensive plan amendment identified by the state land planning authority at Manatee County DEO#17-1 ESR.

The proposed amendment will be listed in the Local Government Comprehensive Plan Amendment Reviews Summary that will be included in the meeting agenda packet for TBRPC's March 13, 2017 meeting (Agenda Item #3.H).

Sincerely,

Brady Smith, AICP, CFM

Principal Planner

**TAMPA BAY REGIONAL PLANNING
COUNCIL**

4000 Gateway Centre Blvd.
Suite 100
Pinellas Park, FL 33782-6141



tbrpc.org

727-570-5151, Ext 42 brady@tbrpc.org @TampabayRPC

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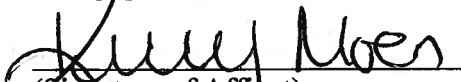
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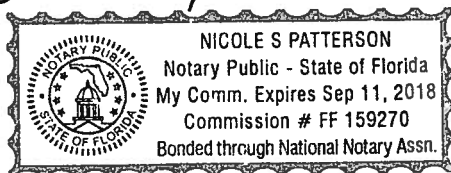
STATE OF FLORIDA
COUNTY OF MANATEE


Before the undersigned authority personally appeared Kerry Moen, 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 **Notice of Land Use Change, Manatee County, PA16-04, PA16-09** was published in said newspaper in the issue(s) **2/15/17**.

Affidavit 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 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.


(Signature of Affiant)

Sworn to and subscribed before me this
15 Day of Feb, 2017




SEAL & Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

NOTICE OF LAND USE CHANGE

Official Actions Will Affect and Regulate Use of Real Property in Unincorporated Manatee County – Notice to Real Property Owners and General Public.

The Manatee County Board of County Commissioners will hold a public hearing to consider the adoption of amendments to the Manatee County Comprehensive Plan. Said amendments pertain to the unincorporated area of Manatee County. At the conclusion of the public hearing the Board of County Commissioners shall determine whether to adopt, adopt with modifications or not adopt the amendments to the Manatee County Comprehensive Plan.

Date: Thursday, March 2, 2017

Time: 9:00 a.m. or soon thereafter

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

Additional amendments to the following may be necessary to implement these changes and ensure internal consistency.

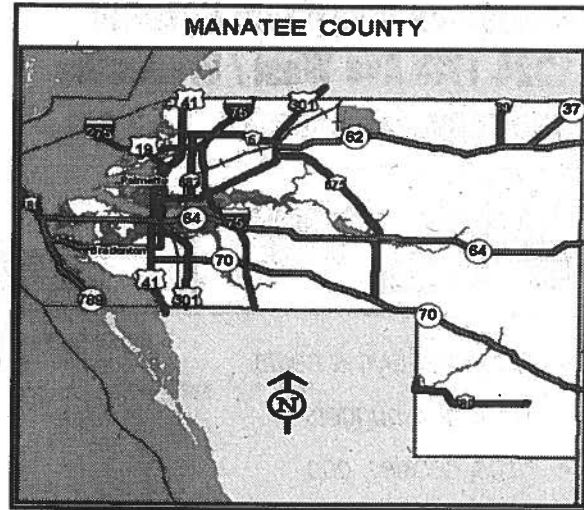
PLAN AMENDMENT PA-16-04 / ORDINANCE 17-12 aka 16-39 LARGE PROJECTS – DTS20160309

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY; REGARDING COMPREHENSIVE PLANNING; AMENDING MANATEE COUNTY ORDINANCE NO. 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A TEXT AMENDMENT TO THE FUTURE LAND USE AND TRAFFIC SUB-ELEMENTS TO ALLOW GENERAL DEVELOPMENT PLANS MEETING "LARGE PROJECT" STANDARDS THE OPTION TO REQUEST A CERTIFICATE OF LEVEL OF SERVICE FOR CONCURRENCY AND TO AMEND DEPARTMENT NAMES; PROVIDING FOR A PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING PROVISIONS OF THE COMPREHENSIVE PLAN TO PRESERVE INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

PA-16-08/ORDINANCE 17-03

AIRPORT IMPACT OVERLAY TEXT AND MAP AMENDMENT

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING, AMENDING MANATEE COUNTY ORDINANCE NO. 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING THE FUTURE LAND USE ELEMENT TO AMEND POLICIES 2.2.2.7, 2.2.2.7.1, 2.2.2.7.2, 2.2.2.7.3, 2.2.2.7.4 AI AIRPORT IMPACT OVERLAY DISTRICT, UPDATING OBJECTIVE REFERENCES, ADDING REFERENCE TO THE PROPOSED AIRPORT ZONING STANDARDS IN THE LAND DEVELOPMENT CODE; AMENDING THE FUTURE LAND USE MAP SERIES TO REFLECT THE NEW AIRPORT IMPACT OVERLAY; PROVIDING FOR DEFINITIONS; SAID DEFINITIONS ARE AMENDED TO INCLUDE REVISED AND AMENDED DEFINITIONS; AND RELOCATING EXISTING DEFINITIONS WITHIN SIMILAR AIRPORT DEFINITIONS; AMENDING THE AVIATION SUB-ELEMENT IN THE TRANSPORTATION ELEMENT INCLUDING REFERENCES TO THE LAND DEVELOPMENT CODE AIRPORT ZONING, REMOVAL OF MAPS AND MAP REFERENCES IN LIEU OF THE LAND DEVELOPMENT CODE, INSERTING PROVISIONS FOR AMENDED MAP REFERENCES; AMENDING PROVISIONS OF THE COMPREHENSIVE PLAN TO PRESERVE INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.



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.

Please Send Comments To: Manatee County Building and Development Services Department
Attn: Agenda Coordinator
1112 Manatee Ave. West, Suite 400
Bradenton, FL 34206
planning.agenda@mymanatee.org

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 748-4501, Ext. 6678, between 8:00 AM and 5:00 PM or email at planning.agenda@mymanatee.org.

Americans with Disabilities: The Manatee County Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Commission'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 Kaycee Ellis 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.

118996

HERALD-TRIBUNE MEDIA GROUP
PUBLISHED DAILY
MANATEE COUNTY, FLORIDA

Bobbi Roy
Manatee County Planning Dept.
1112 Manatee Ave. W., 4th. flr.
Bradenton, FL 34205

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED JM MITCHELL, 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 CHARLOTTE COUNTY DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT, BEING A NOTICE IN THE MATTER OF:

Ordinance 17-12 FKA 16-39

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

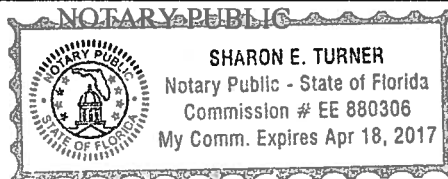
February 15, 2017

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 BRADENTON, IN SAID MANATEE 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.

SIGNED *J Mitchell*

SWORN TO AND SUBSCRIBED BEFORE ME THIS 16 DAY OF FEBRUARY 2017 A.D., BY JM MITCHELL WHO IS PERSONALLY KNOWN TO ME.

(SEAL) *Sharon E. Turner*



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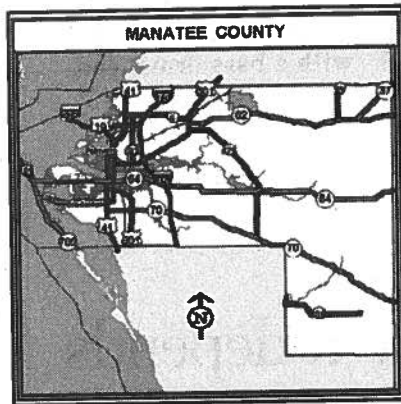
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PLAN AMENDMENT PA-16-04 / ORDINANCE 17-12 fka 16-39 **LARGE PROJECTS - DTS20160309**

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PA-16-09/ORDINANCE 17-03 **AIRPORT IMPACT OVERLAY TEXT AND MAP AMENDMENT**

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ORDINANCE NO. 17-12 (f/k/a 16-39)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY; REGARDING COMPREHENSIVE PLANNING; AMENDING MANATEE COUNTY ORDINANCE NO. 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A TEXT AMENDMENT TO THE FUTURE LAND USE AND TRAFFIC SUB-ELEMENTS TO ALLOW GENERAL DEVELOPMENT PLANS MEETING "LARGE PROJECT" STANDARDS THE OPTION TO REQUEST A CERTIFICATE OF LEVEL OF SERVICE FOR CONCURRENCY AND TO AMEND DEPARTMENT NAMES; PROVIDING FOR A PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING PROVISIONS OF THE COMPREHENSIVE PLAN TO PRESERVE INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and

WHEREAS, The Community Planning Act (the "Act") is codified in the applicable portions of Chapter 163, Part II, Florida Statutes (2016) as amended, empowers and requires the County (a) to plan for the county's future development and growth, and (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the County; and

WHEREAS, Manatee County Ordinance No. 89-01, as amended, was adopted pursuant to general law for the purpose of providing a framework for land use and development in the unincorporated area of Manatee County, and established the Manatee County Comprehensive Plan; and

WHEREAS, Application PA-16-04 initiated by the County is a request for a text amendment to the Future Land Use and Traffic Sub-Elements to allow General Development Plans meeting standards for Large Projects in the Land Development Code the option to request a Certificate of Level of Service for concurrency and to amend department names, and

WHEREAS, on December 8, 2016, at a duly noticed public hearing, the Manatee County Planning Commission, as the County's Local Planning Agency for purposes of the Act, considered Plan Amendment PA-16-04; and passed a motion to recommend transmittal of Plan Amendment PA-16-04 to the Board of County Commissioners; and

WHEREAS, after due public notice, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing on January 5, 2017, to consider Plan Amendment 16-04 and the transmittal of the proposed amendment to the State Land Planning Agency in accordance with the Act; and

WHEREAS, the State Land Planning Agency by letter dated February 8, 2017 identified no important State resources and facilities within the Department of Economic Opportunity's (DEO) authorized scope of review that would be adversely impacted by Plan Amendment PA-16-04, if adopted; and

WHEREAS, the Florida Department of Transportation by letter dated January 30, 2017

transmitted its review comments on Plan Amendment 16-04 and determined the text amendment is not anticipated to adversely impact State and Strategic Intermodal Systems (SIS) transportation facilities and offers no comments; and

WHEREAS, the Florida Department of Transportation by letter dated January 30, 2017 offered several Technical Assistance Comments; and,

WHEREAS, the Florida Department of Agriculture and Consumer Services by correspondence dated January 26, 2017, transmitted its review comments and determined no potential adverse impacts to state resources or facilities related to agricultural, aquacultural, or forestry resources; and,

WHEREAS, the Southwest Florida Water Management District by letter dated February 6, 2017 transmitted its review comments and determined the amendment does not appear to result in any adverse regional water resource related impacts and no comments are offered; and,

WHEREAS, the Florida Fish and Wildlife Conservation Commission (FWC) by correspondence dated January 17, 2017, offered no comments, recommendations or objections

WHEREAS, the staff of the Tampa Bay Regional Planning provided no comments in their review dated February 23, 2017; and,

WHEREAS, the Florida Department of Environmental Protection, by correspondence dated February 3rd, 2017, transmitted its review comments for Plan Amendment PA-16-04 and determined no provision in the Plan Amendment, if adopted, would adversely impact important State resources and facilities, specifically air and water pollution, wetlands and other surface waters of the State, federal and State owned lands and interests in lands including state parks, greenways and trails, conservation easements, solid waste, and water and wastewater treatment; and,

WHEREAS, the School District of Manatee County, by letter dated January 20, 2017 offered no comment or concern; and,

WHEREAS, pursuant to Section 163.3184, Florida Statutes (2016), on March 2, 2017 the Board of County Commissioners held an adoption public hearing, with due public notice having been provided, to consider said proposed amendment to the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners further considered all oral and written comments received during said public hearings, the recommendations of the Planning Commission, and the comments of the State Land Planning Agency and all applicable State or local review agencies; and

WHEREAS, in exercise of said authority, the Board of County Commissioners has determined that the adoption of Plan Amendment PA-16-04 would be consistent with the public interest and encourage the most appropriate use of land, water and resources; and

WHEREAS, all applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to Chapter 163, Part II, Florida Statutes

(2016), and the Plan Format and Administration Section of the Manatee County Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County that:

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

Section 2. Findings: The recitals set forth in the Whereas clauses above are true and correct and are hereby adopted as findings by the Board for the adoption of this Ordinance.

Section 3. Text Amendment: The Manatee County Comprehensive Plan, Future Land Use and Traffic Sub-Elements, are hereby amended as set forth below with additions indicated by underline and deletions by ~~strike-out~~ shall be amended as follows:

FUTURE LAND USE ELEMENT

Objective: 2.4.1

Level of Service And Concurrency: Require the issuance of a Certificate of Level of Service for all development to ensure that required public facilities and services are available concurrent with development.

Policy 2.4.1.1

As may be permitted by the Land Development Code, the following development orders or approvals may have an option to obtain a Certificate of Level of Service for traffic, mass transit, drainage, solid waste and parks facilities:

- 1) Development of Regional Impact development order, ~~or~~ Florida Quality Development, General Development Plans meeting Large Project standards of the Land Development Code or subsequent amendments thereto.
- 2) Preliminary subdivision plat approval, or equivalent development order.
- 3) Preliminary development plan, or equivalent development order.
- 4) Preliminary site plan, or equivalent development order.

The potable water, educational facilities and sanitary sewer components of concurrency will be reserved according to Policy 2.4.1.2.

Any development order that is applied for and that may be issued prior to requesting one or more development orders for the activities listed above (1 through 4) may be approved (where consistent with the goals/objectives/policies of this Comprehensive Plan and where

consistent with all other applicable development regulations) without the simultaneous issuance of a Certificate of Level of Service Compliance.

The educational facilities component of concurrency may be valid a maximum of five years unless an extended term is granted pursuant to a Development Agreement. In no instance shall the term of the educational facilities component exceed the Certificate of Level of Service Issued by affected local government.

TRAFFIC SUB-ELEMENT

Policy: 5.1.2.3

Implement the "current year" level of service (infrastructure) standard, or policy, for each functionally-classified roadway segment currently existing or scheduled for completion during the first year of the capital improvement program within the Capital Improvements Element of this Comprehensive Plan. These infrastructure standards may be revised annually to reflect the impact of improvements programmed for the current fiscal year, or be revised to reflect a change in the development character of an area from rural to urban. Where a project constituting a Development of Regional Impact, a Florida Quality Development (FQD) or a General Development Plan meeting Large Project standards of the Land Development Code is proposed, Manatee County may permit the use of a peak hour Level of Service Standard of "D" for traffic impact studies associated with the DRI, FQD or GDP meeting large project standards of the Land Development Code, on a roadway whose current year standard is (peak hour) "C", if the approval of the project constitutes a rural to urban change in land uses, and if a plan amendment changing the peak hour standard from "C" to "D" is approved simultaneous with the adoption of a DRI, FQD or GDP meeting large project standards development order.

- a) Implementation of Policies 5.1.2.1, 5.1.2.2, and 5.1.2.3 in a manner consistent with this policy.
- a) Level of Service Compliance review, and issuance of a Certificate of Level of Service Compliance by the Planning Public Works Department, where appropriate.

Policy: 5.2.3.2

Permit consideration of local development agreements that define and schedule specific roadway facilities to be improved by the developer of a project approved as a Development of Regional Impact (DRI), FQD, or General Development Plan meeting large project standards of the Land Development Code pursuant to Ch. 380, F.S. As used

~~in this policy the term local development agreements may include a DRI development order issued pursuant to s.380.06(15), F.S.~~ Where traffic impacts analyzed during review of the Development of Regional Impact, FQD or General Development Plan meeting large project standards of the Land Development Code, also:

cause the violation of adopted Level of Service Standards on certain roadways not to be improved under a local development agreement, or cause increased traffic volumes on roadways not to be improved under a local development agreement, and already in violation of adopted Level of Service Standards, then any local development agreement providing for improvements funded by a developer shall also contain best possible guarantees that necessary improvements are scheduled to all other roadways on which the DRIs, FQDs or GDP's meeting large project standards of the Land Development Code impacts are analyzed, and that are projected to exhibit a violation of adopted Level of Service Standards. Best possible guarantees for funding these other scheduled improvements shall also be identified in the local development agreement.

Best possible scheduling and funding guarantees may include Florida Department of Transportation commitments to the improvements within the first three years of the adopted 5-year work program, other local government programming of construction of the improvements within the first three years of the adopted 5-year capital improvements program, Manatee County's inclusion of construction of the improvements in the first three years of the adopted 5-year capital improvements program, or completion of improvements pursuant to another local development agreement.

The sole intent of this policy is to facilitate and provide incentives for appropriate development to occur as a Development of Regional Impact, Florida Quality Development or General Development Plan meeting large project standards of the Land Development Code where such development has paid for a fair share of needed infrastructure within Manatee County.

Implementation Mechanism:

- a) Local development agreements negotiated ~~as part of~~ to provide mitigation required pursuant to a development order issued for a Development of Regional Impact, a Florida Quality Development or

a General Development Plan meeting large project standards of the Land Development Code, pursuant to s.380.06(15), F.S.

#####

CORRECT DEPARTMENT NAME

Policy: 2.4.1.6

Implementation Mechanism:

- a) Building and Development Services Department review of all applications for building permits to verify the existence of a valid Certificate of Level of Service Compliance for that

Policy: 5.1.1.1

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services and Public Works Departments maintenance of the Future Traffic Circulation Map Series pursuant to this policy and implementation of the map series requirements through adoption and implementation of land development regulations consistent with this policy.

Policy: 5.1.1.3

Implementation Mechanism:

- a) Coordination between Manatee County Planning Building and Development Services and Public Works Departments to effectuate this policy.

Policy: 5.1.1.4

Permit the update of the Existing Roadway Functional Classification Map, when appropriate, through an administrative procedure established by, and administered by authorized personnel within the Manatee County Planning Building and Development Services Department. The administrative procedure shall include the notification of, and approval by, the Board of County Commissioners of the updated functional classification of a roadway to the Board of County Commissioners.

###

Implementation Mechanism(s):

- a) Manatee County Planning Building and Development Services Department procedures consistent with this policy.

- b) Manatee County Public Works Department participation in any administrative procedure established under this policy.

Policy: 5.1.1.5

Implementation Mechanism:

- (a) Manatee County Planning Building and Development Services Department review of proposed projects for compliance with this policy.

Policy: 5.1.1.8

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services Department coordination with the MPO, FDOT, and Public Works Department to review or prepare proposed amendments to the Future Traffic Circulation Maps, including review for consistency with the Comprehensive Plan Elements.

Policy: 5.1.2.4

- b) Manatee County Planning Building and Development Services Department use of Florida Department of Transportation Level of Service software and/or tables to derive peak hour maximum service traffic volumes for maintaining adopted level of service.

Policy: 5.2.1.2

Implementation Mechanism:

- a) Planning Building and Development Services and Public Works Departments study and proposal of amendments to the Traffic Circulation Map Series consistent with this policy.

Policy: 5.2.1.5

Implementation Mechanism(s):

- a) Update as needed, by the Manatee County Planning Building and Development Department and Public Works Departments, of the Future Traffic Circulation: Rights of Way Needs Map (Map 5C), a Rights-of Way Needs Table (Table 5.1), Existing Roadway Functional Classification Map (Map 5A), and land development regulations consistent with this policy.

Policy: 5.2.1.6

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services and Public Works

Departments maintenance of land development regulations consistent with this policy.

Policy: 5.2.2.1

Implementation Mechanism:

- a) Manatee County Planning Building and Development Services Department and Public Works Departments review of all proposed projects for compliance with the location and right-of-way requirements referenced in this policy, where applicable.

Policy: 5.2.2.3

Implementation Mechanism(s):

- a) Coordination between the Manatee County Public Works, Building and Development Services ~~Department and the Planning Department~~, and the Florida Department of Transportation to recommend, as necessary,

Policy: 5.2.2.5

Implementation Mechanism:

- a) Coordination between the ~~Planning Department~~ Building and Development Services and Public Works Departments to recommend development order conditions addressing access to ensure compliance with this policy.

Policy: 5.2.2.6

- b) Issuance of negative recommendations by the ~~Planning Department or~~ Building and Development Services Department for either:

Policy: 5.2.2.8

Implementation Mechanism:

- a) Review by the Manatee County Public Works and the Planning Building and Development Services Departments to ensure consistency with this policy, and recommendations to the Board of County Commissioners, as required by this policy.

Policy: 5.2.2.11

Implementation Mechanism:

- a) Review by the ~~Planning Department~~ Building and Development Services and ~~the~~ Public Works Departments of the proposed circulation patterns.

Policy: 5.2.2.12

Implementation Mechanisms:

- a) Coordinated review of development proposals by

the Planning Building and Development Services and Public Works Departments.

- b) Amendment to the Land Development Code to implement policy.

Policy: 5.2.3.1

Implementation Mechanism:

- a) Level of Service Compliance review, and issuance of a Certificate of Level of Service Compliance by the Planning Public Works Department, where appropriate.

Policy: 5.2.3.3

Implementation Mechanism:

- a) Planning, Building and Development Services, Financial Management and Public Works Departments coordination to develop ordinance.

Section 4. Severability: If any part, section, subsection, or other portion of this Ordinance, or any application thereof to any person or circumstance is declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

Section 5. Codification: The publisher of the County's Comprehensive Plan, the Municipal Code Corporation, is directed to incorporate the amendments in Sections 3 of this Ordinance into the Comprehensive Plan.

Section 6. Effective Date: The effective date of this Plan Amendment, PA-16-04 if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies Manatee County that the adopted plan amendment package for Plan Amendment PA-16-04 is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits or land uses dependent on this Plan Amendment PA-16-04 may be issued or commence before it has become effective.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting this 2nd day of March, 2017.

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

By: _____
Betsy Benac, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court and Comptroller

By: _____
Deputy Clerk