

P.C. 07/11/02

PA-02-04 /PROPOSED ORDINANCE-02-04

Manatee County Government amendment to the text of the Future Land Use Element removing electrical generation facilities as a potential use within the AG/R (Agricultural/Rural) future land use category.

Request: Transmittal of a proposed Ordinance of the County of Manatee, Florida, providing for a text amendment to Manatee County Ordinance 89-01, as amended (The 2020 Manatee County Comprehensive Plan).

P.C.: 2/14/02, 03/14/02 07/11/02 B.O.C.C.: 02/26/02, 03/26/02 07/30/02

App. Rec.: Type of Amendment: Text Amendment

RECOMMENDED MOTION:

Based upon the evidence presented, comments made at the Public Hearing, the technical support documents, and finding the request to be CONSISTENT with the provisions of Chapter 163, Florida Statutes, Chapter 9J-5, Florida Administrative Code, and the Manatee County Comprehensive Plan, I move to recommend TRANSMITTAL of Manatee County Ordinance 02-04 (Plan Amendment PA-02-04).

PLANNING COMMISSION ACTION:

On February 14, 2002, by a vote of 6 - 0, the Planning Commission CONTINUED the public hearing for this item to March 14, 2002. There was no action required at the March 14, 2002 Planning Commission public hearing. This item was deferred to the 2002 Cycle II Plan Amendment schedule.

BOARD OF COUNTY COMMISSION ACTION:

On February 26, 2002, by a vote of 7 - 0, the Board of County Commissioners CONTINUED the public hearing for this item to March 26, 2002. There was no action required at the March 26, 2002 Board of County Commission public hearing. This item was deferred to the 2002 Cycle II Plan Amendment schedule.

PUBLIC COMMENT/CORRESPONDENCE:

There was no public comment and no correspondence was entered into the record for this case at the February 14, 2002 and March 14, 2002 Planning Commission public hearings and February 26, 2002 and March 26, 2002 Board of County Commission public hearings.

**PLAN AMENDMENT
DETAILED REVIEW**

NAME: Manatee County Government amendment to the text of the Future Land Use Element removing electrical generation facilities as a potential use within the AG/R Agricultural/Rural future land use category.

CASE NUMBER: PA-02-04 / Proposed Ordinance 02-04

REQUEST: Amendment proposes to remove electrical power generation facilities from the range of potential uses within the AG/R Agricultural/Rural future land use category.

DISCUSSION:

In the previous year, the County has processed several amendments to the Future Land Use Map, changing the future land use category from IL Industrial Light to P/SP(1) Public/Semi Public (1). The P/SP(1) future land use category allows for uses that typically have adverse impacts on surrounding adjacent areas. Uses include, but are not limited to, sanitary landfills, major utility transmission corridors, water and wastewater treatment/storage/disposal facilities, airports, major maintenance facilities, and solid waste transfer stations.

In an effort to consider the range of adverse impacts upon surrounding adjacent areas when processing a future land use map amendment to allow any of the uses within the P/SP(1) future land use category, the Board of County Commissioners amended the P/SP(1) policies (plan amendment PA-01-07, adopted 9/25/01) to require an applicant to declare a specific use or uses, provide additional information to address compatibility concerns of the use(s), and utilize the Planned Development zoning process for development.

The electrical power generating industry has changed since the initial adoption of the Comprehensive Plan in 1989. The Comprehensive Plan originally recognized an existing use (FPL), but now it has become apparent that this one location in the AG/R Agricultural /Rural future land use category is not the only location where a power generating plant may be requested. A review by the staff and Board of the power generating facilities development trend and the areas of the county designated as AG/R indicated that not all areas in the county designated as AG/R are appropriate for this intense use.

To be able to examine all issues pertaining to a use of this magnitude and impact, staff proposes that electrical power generation facilities be removed from the Range of Potential Uses under the AG/R Agricultural/Rural future land use category, and be considered as a use only within the P/SP(1) Public/Semi Public (1) future land use category. Policy 2.1.1.5 of the Comprehensive Plan allows consideration of amendments to the Future Land Use Map to establish P/SP(1) uses, including electrical power generating facilities and other

major public and semi public uses.

In addition, this proposed amendment will result in greater consistency with the recent P/SP(1) future land use category plan amendment, described above, resulting in the proposed siting of a major, impact producing, public or semi public facility being given consideration through the Comprehensive Plan Future Land Use Map amendment process, and the Land Development Code Planned Development process.

PROPOSED GOAL:

The goal of the proposed amendment, to remove electrical power generation facilities as a potential use in the AG/R future land use category, is to strengthen planning and development policies that will:

- 1. Give adequate consideration to the siting of major public and semi public facilities,,
- 2. Ensure desirable long term development trends are maintained,
- 3. Ensure electrical power generation facilities are sited properly in view of compatibility and timing considerations, and,
- 4. Limit urban sprawl by ensuring suitable locations for public/private utility facilities exhibiting adverse impacts on surrounding urban uses.

It appears that the proposed amendment is justified per Section C.2.3.2 of the Comprehensive Plan as an oversight. The original language did not entirely anticipate and provide an adequate planning policy and mechanism to address the location and development of electrical power generation facilities that would include major planning, compatibility, and timing concerns. The proposed language corrects this oversight.

Policy 2.2.1.8 is proposed to be revised as shown below, to effectuate the above discussed changes. Strike through text is proposed for deletion. No text is proposed to be added.

Policy:	2.2.1.8	Ag/R: Establish the Agricultural/Rural future land use category as follows:
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Policy:	2.2.1.8.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which have a long term Agricultural or Rural Residential character, such areas primarily located east of the "Future Development Area Boundary" (FDAB). Refer to the TSD, Land Use Element for location of the FDAB.
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Policy:	2.2.1.8.2	Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5, and Obj. 9.2.4): Farms, ranches, agro-industrial uses, agricultural service establishments, agriculturally-compatible residential uses, farmworker housing, rural residential uses, small retail and office commercial uses, mining, mining-related uses, electrical generation facilities , low intensity recreational facilities, rural recreational facilities, public or semi-public uses, schools, and
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appropriate water-dependent uses (see also Objectives 4.2.1, 2.10.3 and 2.10.4).

Policy: 2.2.1.8.3

Range of Potential Density/Intensity:

Maximum Gross Residential Density:
0.2 dwelling units per acre

Maximum Net Residential Density:
1 dwelling unit per acre
(except within WO and CSVA Overlay Districts pursuant to Policies 2.3.1.5, and 4.3.1.5)

Maximum Floor Area Ratio:
0.23

Policy: 2.2.1.8.4

Other Information:

- (a) Mining-related uses, agro-industrial uses, and agricultural service establishments are exempt from the requirement for 0.23 maximum Floor Area Ratio, but may be limited in intensity by the application of other goals, objectives, or policies in this Comprehensive Plan or by other applicable development regulations.
- (b) All mixed, multiple use and rural recreational use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to 163.3202, F.S.
- (c) Where established in a manner consistent with applicable land development regulations, farmworker housing may exceed densities specified in Policy 2.2.1.8.3.

CONSISTENCY OF THE PROPOSED AMENDMENT WITH FLORIDA STATUTES

Section 163.3184, Florida Statutes, Process for Adoption of Comprehensive Plan or Amendment states that "in compliance" means consistent with the requirements of Sections 163.3177, 163.3178, 163.3180, 163.3191, and 163.3245, Florida Statutes.

Section 163.3177 Required and Optional Elements of Comprehensive Plan; Studies and Surveys.

This plan amendment request maintains and enhances the structural elements of the Comprehensive Plan in that it clarifies the relationships among future land uses between and within future land use categories.

Section 163.3178 Coastal Management.

This plan amendment is a text amendment and does not have an adverse impact on the Coastal Management Element of the Comprehensive Plan.

Section 163.3180 Concurrency.

This plan amendment is a text amendment and does not generate a basis for concurrency reviews.

Section 163.3191 Evaluation and Appraisal of Comprehensive Plan.

The Comprehensive Plan has been found to be in compliance, and this plan amendment maintains and enhances the structure of the Comprehensive Plan.

Section 163.3245 Optional Sector Plans.

There are no sector plans established at this time.

ATTACHMENTS:

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

ATTACHMENT #1

CONSISTENCY OF THE LOCAL COMPREHENSIVE
PLAN AMENDMENT WITH FLORIDA STATE COMPREHENSIVE PLAN.
PA-02-04 (Manatee County Ordinance 02-04)

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

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

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

Chapter 187.201 (16)(a)
(16)(b)2
(16)(b)4
(16)(b)5
(16)(b)6
(18)(a)
(18)(b)1
(23)(a)
(23)(b)1

NOTICE OF COMPREHENSIVE PLAN CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to the 2020 Manatee County Comprehensive Plan and changes to the use of certain lands within the unincorporated area of Manatee County with the intent to make a recommendation to the Board of Manatee County Commissioners:

Date: Thursday, July 11, 2022
 Time: 9:00 A.M. or soon thereafter
 Place: Manatee County Government Administrative Center
 1112 Manatee Ave. West, Board Chambers (1st Floor)

A. PA-02-06/PROPOSED ORDINANCE 02-06 - SCHROEDER-MANATEE RANCH, INC. AMENDMENT

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to the Future Land Use Map from IL Industrial Light to IH Industrial-Heavy for certain land located within the 4300 Block on the west side of Lakewood Ranch Boulevard, generally southeast of the Manatee County Lena Road Landfill and the Southeast Wastewater Treatment Plant, consisting of ± 27.5 acres; providing for severability; and providing for an effective date.

PA-02-04 /PROPOSED ORDINANCE 02-04 - AG/R (AGRICULTURAL/RURAL) FUTURE LAND USE CATEGORY AMENDMENT

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for a text amendment to the Future Land Use Element removing electrical generation facilities as a potential use within the AG/R (Agricultural/Rural) Future Land Use Category; providing for severability; and providing an effective date (County Wide).

PA 02-08/PROPOSED ORDINANCE 02-08 - TRAFFIC CIRCULATION TABLE AND MAP SERIES

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to the Traffic Circulation Sub-Element, providing for an update of the Traffic Circulation Map Series and Table 5-1; providing for severability; and providing for an effective date (COUNTY WIDE).

B. PA-02-09/PROPOSED ORDINANCE 02-09 - PEACE RIVER MAP AMENDMENT

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to include the portion of the Peace River Watershed located in Manatee County within the WO - Watershed Overlay District; providing for severability; and providing an effective date.

PA-02-10/PROPOSED ORDINANCE 02-10 - PEACE RIVER TEXT AMENDMENT

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (The 2020 Manatee County Comprehensive Plan), providing for a text amendment to establish the Peace River watershed within Manatee County as a Watershed Overlay District and modifications related to phosphate mining; providing for severability; and providing an effective date.

C. PA-02-13/PROPOSED ORDINANCE 02-13 - FLORIDA POWER AND LIGHT PARRISH PLANT AMENDMENT

Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an approval of an amendment to the Future Land Use Map of the 2020 Manatee County Comprehensive Plan from Ag/R (Agricultural/Rural) to P/SP(1) (Public/Semi-Public) for a site generally located north of State Road 62, north to the county line, and east of Saffold Road; inclusive of the existing Florida Power and Light power plant, the cooling pond and surrounding property (± 7.036 acres); providing for severability; and providing for an effective date.

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

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-104(PC). Copies of this Resolution may be obtained from the Planning Department (See address below).

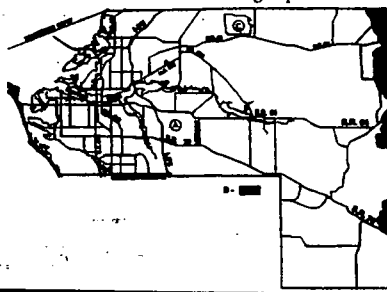
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 Attn: Agenda Coordinator
 1112 Manatee Ave. West, Suite 427
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planning_agenda@co.manatee.fl.us

All written comments will be entered into the record.

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

Americans with Disabilities: The Manatee County Planning Commission 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.



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Date: Thursday, July 11, 2022
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 Place: Manatee County Government Administrative Center
 1112 Manatee Ave. West; Board Chambers (1st Floor)

A. PA-02-06/PROPOSED ORDINANCE 02-06 - SCHROEDER-MANATEE RANCH, INC. AMENDMENT
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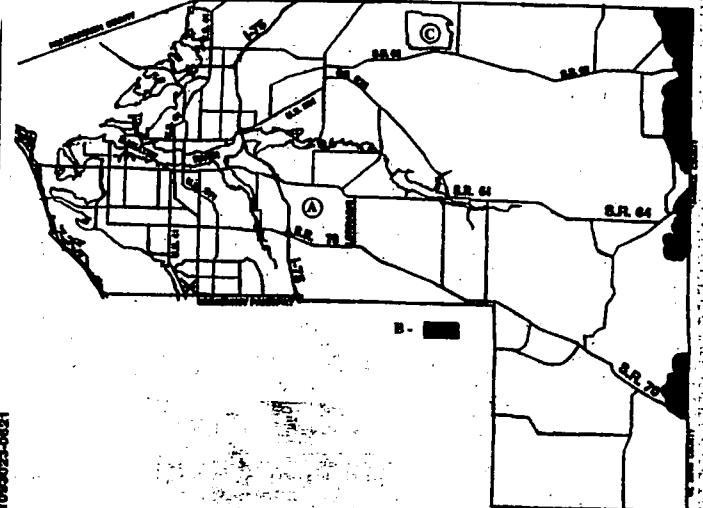
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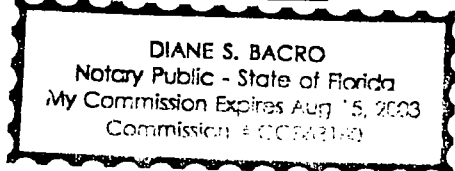
STATE OF FLORIDA
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **NOTICE OF COMPREHENSIVE PLAN CHANGES IN UNINCORPORATED MANATEE COUNTY** in the Court, was published in said newspaper in the issues of, 6/21,'02

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

(Signature of Affiant)

Sworn to and subscribed before me this
21st Day of JUNE, 2002



SEAL & Notary Public

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

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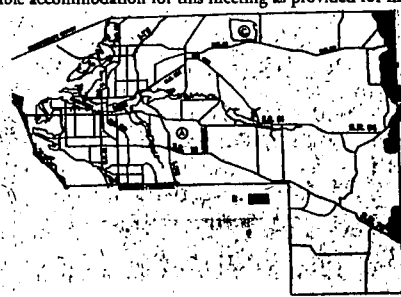
21787

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SARASOTA HERALD TRIBUNE
PUBLISHED DAILY
SARASOTA, SARASOTA COUNTY, FLORIDA

MANATEE COUNTY GOVERNMENT
1112 MANATEE AVE W, 4TH FLOOR
BRADENTON, FL 34206

STATE OF FLORIDA
COUNTY OF MANATEE

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

COMPREHENSIVE PLAN

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

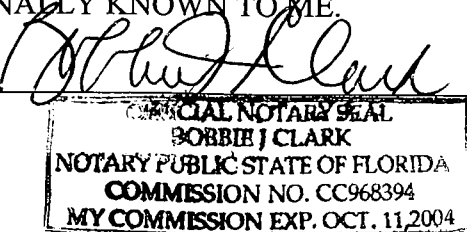
JUNE 21, 2002

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 Moya Neville

SWORN TO AND SUBSCRIBED BEFORE ME THIS 21ST DAY OF
JUNE A.D., 2002 BY MOYA NEVILLE WHO IS
PERSONALLY KNOWN TO ME.

(SEAL)



NOTARY PUBLIC

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 1112 Manatee Ave. West; Board Chambers (1st Floor)

A. PA-02-06/PROPOSED ORDINANCE 02-06 - SCHROEDER-MANATEE RANCH, INC. AMENDMENT
 Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to the Future Land Use Map from IL Industrial Light to IH Industrial-Heavy for certain land located within the 4300 Block on the west side of Lakewood Ranch Boulevard, generally southeast of the Manatee County Lena Road Landfill and the Southeast Wastewater Treatment Plant, consisting of ± 27.5 acres; providing for severability; and providing for an effective date.



PA-02-04 /PROPOSED ORDINANCE-02-04 - AG/R (AGRICULTURAL/RURAL) FUTURE LAND USE CATEGORY AMENDMENT
 Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for a text amendment to the Future Land Use Element removing electrical generation facilities as a potential use within the AG/R (Agricultural/Rural) Future Land Use Category; providing for severability; and providing an effective date (County Wide).

PA 02-08/PROPOSED ORDINANCE 02-08 - TRAFFIC CIRCULATION TABLE AND MAP SERIES
 Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to the Traffic Circulation Sub-Element, providing for an update of the Traffic Circulation Map Series and Table 5-1; providing for severability; and providing for an effective date (County Wide).

B. PA-02-09/PROPOSED ORDINANCE 02-09 - PEACE RIVER MAP AMENDMENT
 Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an amendment to include the portion of the Peace River Watershed located in Manatee County within the WO - Watershed Overlay District; providing for severability; and providing an effective date.

PA-02-10/PROPOSED ORDINANCE 02-10 - PEACE RIVER TEXT AMENDMENT
 Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (The 2020 Manatee County Comprehensive Plan), providing for a text amendment to establish the Peace River watershed within Manatee County as a Watershed Overlay District and modifications related to phosphate mining; providing for severability; and providing an effective date.

C. PA-02-13/PROPOSED ORDINANCE 02-13 - FLORIDA POWER AND LIGHT PARRISH PLANT AMENDMENT
 Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, (the 2020 Manatee County Comprehensive Plan); providing for an approval of an amendment to the Future Land Use Map of the 2020 Manatee County Comprehensive Plan from Ag/R (Agricultural/Rural) to P/SP(1) (Public/Semi-Public) for a site generally located north of State Road 62, north to the county line, and east of Saffold Road; inclusive of the existing Florida Power and Light power plant, the cooling pond and surrounding property (±7,036 acres); providing for severability; and providing for an effective date.

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

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-104(PC). Copies of this Resolution may be obtained from the Planning Department (See address below).

Please Send Comments To: Manatee County Planning Department
 Attn: Agenda Coordinator
 1112 Manatee Ave. West, Suite 427
 Bradenton, FL 34208
planning.agenda@co.manatee.fl.us

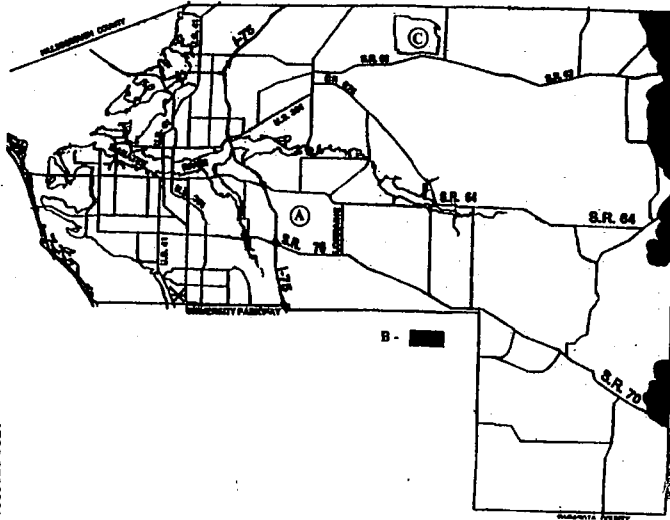
All written comments will be entered into the record.

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 748-3070, Ext. 6829, between 8:00 AM and 5:00 PM.

Americans with Disabilities: The Manatee County Planning Commission 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 Keycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 second; FAX 745-3790.

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



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