

December 17, 2020 Planning Commission
Agenda Item #8

Subject

LDCT-20-07/Ordinance No. 21-03 – County Initiated Official Zoning Atlas Amendment and Land Development Code Amendments – (CHHA), (CEA), and (CPA) - Legislative - Bill O'Shea, Principal Planner

Briefings

None

RECOMMENDED in Open Session by
Manatee County Planning Commission
[December 17, 2020](#)

Contact and/or Presenter Information

Presenter: Bill O'Shea, Principal Planner, 941-748-4501 ext. 3841

Contact: Natalie Chiapusio, Planning & Zoning Technician, 941-748-4501 ext. 6839

Action Requested

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and in accordance with Section 341 of the Land Development Code, I move to recommend adoption of ORDINANCE 21-03 amending the Manatee County Land Development Code, as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

- The Coastal Overlay Districts [Coastal High Hazard Area (CHHA), Coastal Evacuation Area (CEA), and Coastal Planning Area (CPA)] have historically been mapped in either the Comprehensive Plan, Land Development Code, or both. This has resulted in an inconsistency between the overlays within the two documents.
- With this request, staff is recommending to maintain the coastal maps within the Comprehensive Plan and reference those maps in the regulations contained within the Land Development Code. This will reduce the inconsistencies between the overlays within the two documents, and will require updating one document (map) in the future.
- No changes are proposed to the regulations or requirements for development within the three overlays:

Bradenton Area Convention Center
One Haben Boulevard, Palmetto
9:00 am - December 17, 2020

CHHA, CEA, or CPA. The maps of the Comprehensive Plan are available on-line within the Manatee County's GIS System and Municode.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk responded by email to Matter 2020-0522.

Reviewing Attorney

Schenk

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Staff Report - Coastal Overlay Districts \(CHHA, CEA and CPA\) LDC Text Amendment ver 5 PC.pdf](#)

Attachment: [2- Ordinance 21-03, ver. 5.pdf](#)

Attachment: [1 - Newspaper Advertising.pdf](#)

P.C. 12/17/2020

LDCT-20-07/ORDINANCE NO. 21-03 – COUNTY INITIATED AMENDMENT TO THE LAND DEVELOPMENT CODE AND OFFICIAL ZONING ATLAS MAP – COASTAL OVERLAY DISTRICTS [COASTAL HIGH HAZARD OVERLAY DISTRICT (CHHA), COASTAL EVACUATION AREA OVERLAY DISTRICT (CEA), AND COASTAL PLANNING AREA (CPA)]

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS, AS ADOPTED BY REFERENCE IN CHAPTER 4 OF THE LAND DEVELOPMENT CODE TO REMOVE THE “COASTAL HIGH HAZARD AREA OVERLAY DISTRICT” (CHHA) MAPPING FROM THE OFFICIAL ZONING ATLAS MAP OF THE LAND DEVELOPMENT CODE AND REFER TO AND REFERENCE THE CHHA AND THE “COASTAL EVACUATION AREA OVERLAY DISTRICT” (CEA) MAPS CONTAINED WITHIN THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FINDINGS, PROVIDING FOR OTHER AMENDMENTS AS MAY BE NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

P.C.: 12/17/2020

B.O.C.C.: 01/07/2021, 03/04/2021

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and in accordance with Section 341 of the Land Development Code, I move to recommend adoption of ORDINANCE 21-03 amending the Manatee County Land Development Code, as recommended by staff.

SUMMARY/BACKGROUND:

Coastal High Hazard (CHHA) Overlay

The Coastal High Hazard Area is currently mapped within both the Manatee County Comprehensive Plan and Land Development Code. The Comprehensive Plan Future Land Use Coastal High Hazard Area (CHHA) Overlay District was recently amended in 2020 (Ordinance 20-04) based on the 2016 SLOSH (Sea, Lake and Overland Surges from Hurricanes) data provided by Tampa Bay Regional Planning Council. The Coastal Element of a Comprehensive Plan requires the designation of coastal high hazard areas per Florida Statute 163.3178.

The Land Development Code definition of the Coastal High Hazard Area (CHHA) Overlay District was amended in 2015 to reflect the current and up-to-date definition within the Comprehensive Plan, however, the Zoning Coastal High Hazard Overlay District mapping within the LDC was never updated to reflect the 2016 SLOSH data and is therefore outdated and not correct.

Rather than update the CHHA Overlay mapping within the Land Development Code to reflect the 2016 SLOSH data, staff recommends keeping one map within the Comprehensive Plan and reference that map within the Land Development Code. This will reduce the inconsistency of the overlays within the two documents and will require updating one map in the future. In addition, the LDC definition of CHHA already includes "See CHHA Map in the Coastal Management Element of the Manatee County Comprehensive Plan".

Coastal Evacuation Area (CEA) Overlay District

Until 2019, the Coastal Evacuation Area (CEA) was only mapped and referenced within the Manatee County Comprehensive Plan. With Ordinance 19-03, Process Improvements, the relevant land development code regulations pertaining to the CEA were incorporated into the Land Development Code. This was done so staff and developers would know the requirements for development within the overlay without searching in multiple documents.

With this request, like the CHHA Overlay mapping, staff recommends keeping one map for the CEA within the Comprehensive Plan and reference that map within the Land Development Code. This will reduce the inconsistency of the overlays within the two documents and will require updating one map in the future.

Coastal Planning Area (CPA)

Similar to the CEA, the Coastal Planning Area (CPA) has only been mapped and referenced within the Manatee County Comprehensive Plan. With Ordinance 19-03, Process Improvements, language was added to the LDC to reference the CPA map within the Comprehensive Plan, and no language was added to include the CPA within the mapping of the LDC. Therefore, no change is required to the CPA.

With this request, no changes are proposed to the regulations or requirements for development within the three overlays: CHHA, CEA, or CPA. The only change will be that the maps of the Comprehensive Plan are referenced within the LDC. The maps are and will be available on-line within the Manatee County's GIS System and Municode.

This county initiated LDC text amendment and amendment to the Official Zoning Atlas Map is related to a companion Comprehensive Plan Map amendment for the Coastal Evacuation Area and Coastal Planning Area, PLN2009-2009-0095, PA-20-03/Ord. 21-02.

The following amendments are proposed:

Amend LDC Chapter 4 – ZONING, Section 403.8, Coastal Overlay Districts to delete the CHHA and CEA mapping in the Official Zoning Atlas Map and reference the mapping within the Comprehensive Plan:

403.8. - Coastal Overlay Districts (CHHA, CEA and CPA).

- A. Purpose. It is the purpose of this section to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by enforcing the provisions of this section which were designed to implement the goals, objectives and policies of the Coastal Management Element of the Comprehensive Plan.

The approximate boundaries of the Coastal Evacuation Area (CEA) and Coastal High Hazard Area (CHHA) Overlay Districts are indicated ~~on the Official Zoning Atlas Map~~ in the Manatee County Comprehensive Plan. The Coastal Planning Area (CPA) map is also found in the Comprehensive Plan. The extent and coverage of the area designated as a Coastal High Hazard Area is subject to a more precise determination for any project based on an evaluation of a predevelopment topographic survey of the site submitted to the Manatee County Department Director for review. Should such an evaluation of the topographic survey indicate that the extent of the CHHA District is somewhat different than what is indicated on the ~~Official Zoning Atlas Map~~ mapping within the Comprehensive Plan, the predevelopment topographic information will prevail without the property owner having to pursue an amendment to the ~~Atlas Map~~ mapping within the Comprehensive Plan.

Amend the Official Zoning Atlas Map to delete the mapping of the Coastal High Hazard Area Overlay District (CHHA) and the Coastal Evacuation Area Overlay District (CEA). These maps will remain in the Comprehensive Plan and will be updated as needed in the future.

JUSTIFICATION FOR LDC AMENDMENTS

The Land Development Code is enacted pursuant to Section 163.3202 of the Florida Statutes and its purpose is to implement the Comprehensive Plan of the County by establishing regulations, procedures, and standards for review and approval of all development and use of land in the unincorporated portions of the County. The County is required to amend the Land Development Code to achieve consistency with and to implement the Comprehensive Plan, in accordance with the Community Planning Act, codified in the applicable portions of Chapter 163, Part II, Florida Statutes.

It is stated in Chapter 1 of the LDC that *“the Code is adopted in order to foster and preserve public health, safety, comfort, and welfare in the unincorporated areas of the County.”* Further, that it is the intent of the Code that the development process in Manatee County be efficient, in

terms of time and expense, effective, in terms of addressing the natural resource and public facility implications of proposed development, and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the County.

LDC Section 341, LDC Amendments, states the Board shall determine that any proposed LDC Text Amendment is consistent with the Comprehensive Plan and promotes the public health, safety and welfare.

Manatee County has reviewed the proposed changes to the LDC to ensure the purpose and intent stated in the Code (and above) will continue to be met.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Element 1 – Definitions

Coastal Evacuation Area (*CEA*): The evacuation Level A for a Category 1 hurricane as established in the regional hurricane evacuation study applicable to Manatee County, as updated on a periodic basis.

Coastal High Hazard Area (*CHHA*): The geographic area below the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, pursuant to applicable law, as updated on a periodic basis.

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

Element 2 – Future Land Use

Policy 2.2.2.4. *CEA*: Establish the Coastal Evacuation Area Overlay District as follows:

Policy 2.2.2.4.1. The purpose of the *CEA* Overlay District policies is to minimize the effect of development on the evacuation of population from Zone A during a Category 1 hurricane, which is the first area subject to evacuation in an event of potential high storm surge.

Policy 2.2.2.4.2. The County shall adopt rules and regulations to:
(a) Limit population in the *CEA* Overlay District.
(b) Limit the amount of infrastructure, both private and public, within the *CEA* Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to

Manatee County residents.

(c) Increase, through exercise of the police power, the degree of protection to public and private property, and to protect the lives of residents within the *CEA*, and reduce the risk of exposing lives or property to storm damage.

(d) Accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.

(e) Protect coastal water quality by reducing impervious surface along coastal areas, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal waters.

(f) Encourage, establish, and maintain vegetative and spatial buffer zones, in order to maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge and tidal velocity, and the erosive effect of wave action.

Policy 2.2.2.4.3.

Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the *CEA* Overlay District are contained under Objectives [4.3.1](#), [4.3.2](#), [4.4.2](#) and [4.4.3](#) of the Coastal Management Element.

Compliance with all goals, objectives, and policies listed in this subsection, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the *CEA* Overlay District.

Policy 2.2.2.4.4.

Effect of Mapping:

(a) The area designated under the *CEA* Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the *CEA* District, except where policies associated with the *CEA* Overlay conflict with such goals, objectives and policies. In this event, policies associated with the *CEA* Overlay shall override other goals, objectives and policies.

Policy 2.2.2.4.5.

Development Restrictions:

(a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal Evacuation Area.

(b) Limit the location of acute care medical facilities within the *CEA* overlay.

Policy 2.2.2.5

CHHA: Establish the Coastal High Hazard Area Overlay District as follows:

Policy 2.2.2.5.1

The purpose of the CHHA Overlay District policies is to direct population concentration away from known or predicted coastal high hazard areas and to limit public expenditures that subsidize development within these areas. The CHHA is the geographic area below the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, pursuant to applicable law, as updated on a periodic basis.

Policy 2.2.2.5.2

The County shall adopt rules and regulations to:

- a) Limit population in the Coastal High Hazard Area Overlay District.
- b) Limit the amount of infrastructure, both private and public, within the CHHA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents.
- c) Increase, through exercise of the police power, the degree of protection to public and private property, and to protect the lives of residents within the CHHA, and reduce the risk of exposing lives or property to storm damage.
- d) Accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.
- e) Protect coastal water quality by reducing impervious surface along coastal areas, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal waters.
- f) Encourage, establish, and maintain vegetative and spatial buffer zones, in order to maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge and tidal velocity, and the erosive effect of wave action.

Policy 2.2.2.5.3.

Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the CHHA Overlay District are contained under Objectives 4.3.1, 4.3.2, 4.4.2 and 4.4.3 of the *Coastal Management Element*. Compliance with all goals, objectives, and policies listed in these subsections, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CHHA Overlay District.

Policy 2.2.2.5.4

Effect of Mapping:

- a) The area designated under the CHHA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CHHA District, except where policies associated with the CHHA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CHHA Overlay shall override other goals, objectives and policies. The extent and coverage of the area designated as CHHA is an approximation, and is subject to a more precise determination on any project

within, or proximate to, that area shown on the Future land Use Map as CHHA. At the time of review of any such project for issuance of any development order establishing total or partial development potential, evaluation of a pre-development topographic survey of the site shall be utilized to determine the extent of the CHHA District Overlay.

Policy 2.2.2.5.5

Development Restrictions/Conditions

- a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal High Hazard Area Overlay District.
- b) Limit the location of acute care medical facilities within the CHHA overlay.

Policy 4.1.2.1

Require developments within the *Coastal Planning Area* to preserve representative tracts of native upland communities. [See policies under Objective [3.3.2](#)]

Policy 4.1.2.4

Review all proposed land developments for compatibility with, and determination of cumulative impacts on, adjacent natural marine resource areas.

Implementation Mechanism:

- (a) Review all land development applications for cumulative effects on adjacent natural marine resource areas in the *Coastal Planning Area*.

Policy 4.1.3.1

Require all land development activities within the *Coastal Planning Area* which discharge into receiving coastal waters demonstrate non-degradation of water quality for all applicable parameters.

Policy 4.1.5.2

Restrict dredge and fill operations in the *Coastal Planning Area* to operations which facilitate the continued use of existing channels, operations associated with appropriate water-dependent uses, or operations which correct environmental problems caused by limited tidal circulation or other deficiencies of the environmental system.

Policy 4.2.1.3

Prohibit the siting of new wastewater treatment plants within the *Coastal Planning Area* and ensure that expansion of existing facilities will not degrade water quality in coastal receiving waters.

Policy 4.3.1.6

Prohibit the development of new mobile home projects within the *Coastal Planning Area*.

- Policy 4.3.1.8 Maintain the minimum construction setback line for all areas of the *Coastal Planning Area* which have not been delineated for a Coastal Construction Control Line.
- Policy 4.3.2.1 Limit the placement of County-funded infrastructure within the *Coastal Planning Area* which exceeds the demands generated by approved development except to provide for hurricane evacuation needs and as allowed in Policy 4.3.2.2.
- Policy 4.4.2.2 Require new development in the *Coastal Planning Area* to provide hurricane evacuation plans for the project prepared in coordination with County staff, and require the implementation of such plans with funding for such planning and implementation provided by the developers of the project or their successors.

The proposed amendment to the LDC achieves consistency with the above referenced provisions of the Comprehensive Plan and implements the goals objectives, and policies of the Comprehensive Plan.

ATTACHMENTS:

- 1. Newspaper Advertising**
- 2. Ordinance No. 21-03**

LDCT-20-07/ORDINANCE NO. 21-03 – COUNTY INITIATED AMENDMENT TO THE LAND DEVELOPMENT CODE AND OFFICIAL ZONING ATLAS MAP – COASTAL OVERLAY DISTRICTS [COASTAL HIGH HAZARD OVERLAY DISTRICT (CHHA), COASTAL EVACUATION AREA OVERLAY DISTRICT (CEA), AND COASTAL PLANNING AREA (CPA)]

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS, AS ADOPTED BY REFERENCE IN CHAPTER 4 OF THE LAND DEVELOPMENT CODE TO REMOVE THE “COASTAL HIGH HAZARD AREA OVERLAY DISTRICT” (CHHA) MAPPING FROM THE OFFICIAL ZONING ATLAS MAP OF THE LAND DEVELOPMENT CODE AND REFER TO AND REFERENCE THE CHHA AND THE “COASTAL EVACUATION AREA OVERLAY DISTRICT” (CEA) MAPS CONTAINED WITHIN THE MANATEE COUNTY COMPREHESIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR OTHER AMENDMENTS AS MAY BE NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 21st, 2019 the Board Enacted Ordinance No. 19-03 amending and reinstating the Manatee County Land Development Code (the “Land Development Code”) which has been subsequently amended; and

WHEREAS, Section 163.3174(1), Florida Statutes, requires that the governing body of each local government in Florida shall designate and by ordinance establish a “local planning agency”; and

WHEREAS, the Manatee County Planning Commission has been duly designated in Section 301 of the Land Development Code as the Local Planning Agency of the County; and

WHEREAS, Section 163.3174(4)(c), Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to consistency of the proposed land development regulations with the adopted Comprehensive Plan; and

WHEREAS Section 301.1.D. of the Land Development Code authorizes the Planning Commission to hold public hearings and make recommendations as to proposed amendments to the text of the Land Development Code; and

WHEREAS, the Planning Commission, acting in its capacity as the County’s Local Planning Agency, has been presented with proposed LDCT Amendment 20-07/Ordinance 21-03, incorporated by referenced into this Ordinance; and

WHEREAS, the Planning Commission acting in its capacity as the Local Planning Agency, held a duly noticed and advertised public hearing on December 17, 2020, in accordance with Section 341.2 of the Land Development Code and to receive public comment; and

WHEREAS the Planning Commission, acting in its capacity as the Local Planning Agency, on December 17, 2020, found LDCT Amendment 20-07/Ordinance 21-03 to be consistent with the Manatee County Comprehensive Plan ("the Comprehensive Plan") and recommended that the Board of County Commissioners adopt the LDCT Amendment 20-07/Ordinance 21-03 into the Land Development Code of the County; and

WHEREAS the Board held two (2) adoption public hearings on January 7, 2021 and March 4, 2021, to receive public comments and consider the recommendation of the Planning Commission as to the proposed LDCT Amendment 20-07/Ordinance 21-03; and

WHEREAS, the Board has found and determined that the adoption of the proposed LDCT Amendment 20-07/Ordinance 21-03 will foster and preserve the public health, safety and welfare and aid in the harmonious, orderly and progressive development of the County and thus will serve a valid public purpose.

WHEREAS, the CHHA delineates the geographic area below the Category 1 storm surge line, prohibits public expenditures and increased density within the CHHA; and

WHEREAS, the CHHA is currently mapped within both the Manatee County Comprehensive Plan and Land Development Code. The Comprehensive Plan Future Land Use Coastal High Hazard Area (CHHA) Overlay District was recently amended in 2020 (Ordinance 20-04) based on the 2016 SLOSH model; and

WHEREAS, the CEA minimizes the effect of development on the evacuation of population from Zone A during a Category 1 hurricane through prohibiting increased density, and limiting both private and public infrastructure and the potential public loss from a hurricane; and

WHEREAS, until 2019, the Coastal Evacuation Area (CEA) was only mapped and referenced within the Manatee County Comprehensive Plan, and

WHEREAS, the CPA includes those portions of Manatee County which lie within the Hurricane Vulnerability Area (evacuation levels A, B, and C) as updated on a periodic basis, and

WHEREAS, This county initiated LDC text amendment and county initiated amendment to the Official Zoning Atlas Map will reduce the inconsistency of the overlays currently contained within the Comprehensive Plan and Land Development Code through the deletion of mapping within the Land Development Code and through reference of the mapping in the Comprehensive Plan, thus reducing future map updates to the Comprehensive Plan only.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Manatee County, Florida;

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 "Community Planning Act" codified as Chapter 163, Part II, Florida Statutes 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 of County Commissioners for the adoption of the Ordinance.

Section 3. Text Amendment.

Amend LDC Chapter 4 – ZONING, Section 403.8, Coastal Overlay Districts to delete the Coastal High Hazard Area (CHHA) and Coastal Evacuation Area (CEA) mapping in the Official Zoning Atlas Map and reference the mapping within the Comprehensive Plan:

403.8. - Coastal Overlay Districts (CHHA, CEA and CPA).

- A. Purpose. It is the purpose of this section to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by enforcing the provisions of this section which were designed to implement the goals, objectives and policies of the Coastal Management Element of the Comprehensive Plan.

The approximate boundaries of the Coastal Evacuation Area (CEA) and Coastal High Hazard Area (CHHA) Overlay Districts are indicated [on the Official Zoning Atlas Map in the Manatee County Comprehensive Plan](#). The Coastal Planning Area (CPA) map is [also](#) found in the Comprehensive Plan. The extent and coverage of the area designated as a Coastal High Hazard Area is subject to a more precise determination for any project based on an evaluation of a predevelopment topographic survey of the site submitted to the Manatee County Department Director for review. Should such an evaluation of the topographic survey indicate that the extent of the CHHA District is somewhat different than what is indicated on the [Official Zoning Atlas Map mapping within the Comprehensive Plan](#), the predevelopment topographic information will prevail without the property owner having to pursue an amendment to the ~~Atlas Map mapping within the Comprehensive Plan~~.

Section 4. Official Zoning Atlas Map Amendment

Amend the Official Zoning Atlas Map to delete the mapping of the Coastal High Hazard Area Overlay District (CHHA) and the Coastal Evacuation Area Overlay District (CEA). These maps will remain in the Comprehensive Plan and will be updated as needed in the future.

Section 5. Codification. The publisher of the County's Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this ordinance into the Land Development Code.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Applicability. The amendments set forth in this Ordinance shall apply to all applications, decisions or controversies filed or initiated with the County on or after the effective date of this Ordinance.

Section 8. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, this 4th day of March 2021.

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

By: _____
Carol Whitmore, 1st Vice Chairperson

**ATTEST: ANGELINA COLONNESO
 CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By: _____

BRADENTON
HERALD
Bradenton.com

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
663161	0004821324		20201217 PC LDC	\$521.60	2	10.00 In

Attention: Bobbi Roy

MANATEE CO PLANNING DEPT
PO BOX 1000
BRADENTON, FL 34206

Bobbi Roy

December 14, 2020
107-0006401

THE STATE OF TEXAS
COUNTY OF DALLAS

Before the undersigned authority personally appeared VICTORIA RODELA, 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 **Public Notice**, was published in said newspaper in the issue(s) of:

1 Insertion(s)

Published On:
December 03, 2020

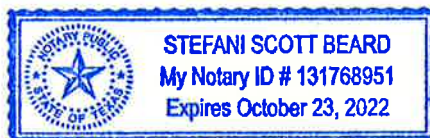
THE STATE OF FLORIDA
COUNTY OF MANATEE

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.

V Rodela

(Signature of Affiant)

Sown to and subscribed before me this
7th day of December in the year of 2020



Stefani Beard

SEAL & Notary Public

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

NOTICE OF PUBLIC HEARING

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 15-17, as amended) and make a recommendation to the Board of County Commissioners as to the consistency of the proposed Ordinance with the Comprehensive Plan and as to whether the proposed ordinance should be adopted, adopted with modifications, or denied.

Date: December 17, 2020
Time: 9:00 AM or soon thereafter as same may be heard
Place: Bradenton Area Convention Center
One Haben Boulevard, Palmetto,

LDCT-20-07/ORDINANCE NO. 21-03 - COUNTY INITIATED
AMENDMENT TO THE LAND DEVELOPMENT CODE AND
OFFICIAL ZONING ATLAS MAP - COASTAL OVERLAY
DISTRICTS (COASTAL HIGH HAZARD OVERLAY DISTRICT
(CHHA) COASTAL EVACUATION AREA OVERLAY DISTRICT
(CEA) AND COASTAL PLANNING AREA (CPA))

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS, AS ADOPTED BY REFERENCE IN CHAPTER 4 OF THE LAND DEVELOPMENT CODE TO REMOVE THE "COASTAL HIGH HAZARD AREA OVERLAY DISTRICT" (CHHA) MAPPING FROM THE OFFICIAL ZONING ATLAS MAP OF THE LAND DEVELOPMENT CODE AND REFER TO AND REFERENCE THE CHHA AND THE "COASTAL EVACUATION AREA OVERLAY DISTRICT" (CEA) MAPS CONTAINED WITHIN THE MANATEE COUNTY COMPREHENSIVE PLAN, PROVIDING FINDINGS, PROVIDING FOR OTHER AMENDMENTS AS MAY BE NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

All interested parties may appear and be heard at the meeting with respect to the proposed Ordinance, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Building and Development Services Department will be heard and considered by the Planning Commission.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, Ordinances, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to planning.agenda@mymanatee.org.

The hearing may be continued from time to time to a date and time certain or to no date certain and

re-advertised. 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 13-189(PC). A copy of this Resolution is available for review or purchase from the Building and Development Services Department (see address below).

Please send comments to:
Manatee County Building and Development
Services Department
Attn: Planning Coordinator
1112 Manatee Ave. West 4th Floor
Bradenton, FL 34205
941-748-4501 ext. 6878
planning.agenda@mymanatee.org

Interested parties may appear and be heard at the meeting with respect to the proposed ordinances.

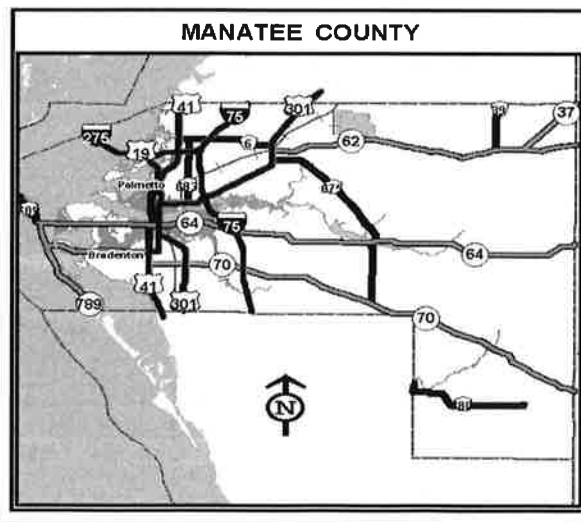
Interested parties may examine the proposed Ordinances and related documents and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 EXT. 6878; e-mail to: planning.agenda@mymanatee.org

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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.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and
Development Services Department
Manatee County, Florida



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 VICE PRESIDENT OF SALES –
WEST FLORIDA 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:

Notice of Public Hearing
LDCT 20-07 Ord No. 21-03

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

December 3, 2020

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 _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS 3 DAY OF December, 2020
A.D., BY JM MITCHELL WHO IS PERSONALLY KNOWN TO ME.

(SEAL) _____

NOTARY PUBLIC



28 | THURSDAY, DECEMBER 3, 2020 | THE HERALD-TRIBUNE

Teen in ICU after injuring spinal cord while diving

Jackie Allen
Naples Daily News
USA TODAY NETWORK

A Florida State student is in the intensive care unit after her spinal cord was severely injured in a swimming accident in Naples.

Eden Schroeder, 19, was visiting friends in Naples while on her winter break before she was supposed to go home to Georgia.

The accident occurred on Friday while Eden was out boating near Keyway Island with her friends. She dove off the boat without realizing how shallow the water was and hit her head on the bottom of the ocean.

Eden was floating in the water after she hit her head. She told her friends she could not feel her legs.

Eden's friends loaded her back onto the vessel and boated back to the beach docks at Bayview Park, where she was

down via a medical flight to Lee Memorial Hospital.

Five days after the accident, Eden is still in the intensive care unit on Wednesday and had undergone emergency surgery. Doctors told her family that Eden will probably never walk again, her younger sister Peyton Schroeder said.

"She still has no feeling below the chest, but she has had some movement in her hands and arms," Peyton said.

The doctor said it's very possible for her to use her hands and arms with lots of rehabilitation. Eden comes from a family with a single mother. The family used to be residents of Naples before moving to Georgia.

Katelyn Holmes Scott, a family friend, set up a GoFundMe page to support Eden's family. It can be accessed at www.gofundme.com/f/support-edens-schroeder.

IN BRIEF

Area Agency on Aging offers support resources

Local Area Agencies on Aging (AAAs) across the state are working together to promote mental health resources and programs for seniors through the Together Apart: Holidays at Heart campaign.

While many older adults choose to stay safer at home and isolate themselves to prevent exposure to the coronavirus, Area Agency on Aging for Southwest Florida Inc. (AAASWFL), in partnership with the Florida Department of Elder Affairs (DOEA), are ensuring that no senior feels alone during the holiday season. Through January, AAASWFL will be reaching out to local seniors in the Southwest Florida area to conduct mental health checks and ensure they are aware of the resources available to them.

Resources offered locally include programs to cope with mental health issues and feelings of depression and loneliness at home. For more information visit holidaysatheart.org to learn more about AAASWFL, visit aaaswfl.org.

Wreaths Across America receives \$50,000 gift

The Patterson Foundation has contributed a \$50,000 gift to Wreaths Across America at Sarasota National Cemetery. This gift will strengthen the nonprofit's mission to provide ceremonial wreaths for the headstones of veterans laid to rest on the cemetery's grounds.

Each year, Wreaths Across America brings together people at national cemeteries throughout the U.S., Puerto Rico and on foreign soil. During Wreaths Across America ceremonies, volunteers of all ages place donated remembrance wreaths at veteran headstones and gravesites.

The pandemic has altered these ceremonies on multiple levels, including wreath donations. Wreaths Across America sought 16,200 donated graves at Sarasota National Cemetery.

"The Patterson Foundation has worked in numerous ways throughout the year to strengthen people, organizations and communities coping with the challenges brought on by the pandemic," said Debra Jacobs, president

and CEO of The Patterson Foundation. "Wreaths Across America presents an appropriate way to extend that work in honor of our region's former, current and future service members eligible for a dignified burial at Sarasota National Cemetery. The Patterson Foundation has a long history of honoring their sacrifices on our behalf and has a vested interest in strengthening this annual ceremony that they and their loved ones hold dear."

Wreaths Across America at Sarasota National Cemetery will take place this year from Dec. 17-19. All volunteers must register in advance to participate, and gloves, masks and social distancing will be required. A community ceremony typically held at Patriot Plaza to kick off the event will now take place virtually on Dec. 19.

USF student videos foster communication awareness

Students in the University of South Florida Communication Sciences & Disorders (CSD) program are raising awareness about speech and hearing differences and disorders through a new video series tied to the holiday season.

The students – all from the university's Sarasota-Manatee campus and members of the campus's National Student Speech Language and Hearing Association (NSSLHA) online chapter – say the project is a play on the annual 25 days of Christmas programming on some cable TV networks.

"We just thought this would be a great way to bring awareness to the many types of hearing and speech differences and disorders that affect millions of people," NSSLHA chapter president Tiffany Marsh said.

The minute-long videos started appearing on the group's Facebook and Instagram pages starting Tuesday and run through Christmas Day. The campaign falls under a larger outreach effort by the students called "Communication for All."

In addition to raising awareness, the students hope to advocate for those living with communication differences and disorders, which can affect people across their lifespan, often starting at an early age. To learn more about the CSD program at the University of South Florida, visit usf.edu/cbs/csd.

NOTICE OF PUBLIC HEARING

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to certain portions of the Manatee County Land Development Code (Ordinance 15417, as amended) and make a recommendation to the Board of County Commissioners as to the expediency of the proposed Ordinance with the Comprehensive Plan and as to whether the proposed ordinance should be adopted, adopted with modifications, or denied.

Date: December 17, 2020

Time: 9:00 AM or soon thereafter as same may be heard

Place: Bradenton Area Convention Center
One Helen Boulevard, Palmetto

LOCAL ORDINANCE NO. 1143 - LAND DEVELOPMENT CODE TEXT AMENDMENT - COASTAL OVERLAY DISTRICT HIGH RISK AREA FOR HURRICANE DISTRICT, COASTAL EVACUATION AREA OVERLAY DISTRICT, AND COASTAL PLANNING AREA (CPA)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS, AS ADOPTED BY RESOLUTION CHAPTER 4 OF THE LAND DEVELOPMENT CODE TO REMOVE THE "COASTAL HIGH RISK AREA OVERLAY DISTRICT" (CHRA) MAPS FROM THE OFFICIAL ZONING ATLAS MAP OF THE LAND DEVELOPMENT CODE AND REFER TO AND REFERENCE THE CHRA AND THE "COASTAL EVACUATION AREA OVERLAY DISTRICT" (CEA) MAPS CONTAINED WITHIN THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FINDINGS, PROVIDING FOR OTHER AMENDMENTS AS MAY BE NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR COORDINATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



All interested parties may appear and be heard at the meeting with respect to the proposed Ordinance, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Building and Development Services Department will be heard and considered by the Planning Commission.

It is important that all parties present their concerns to the Planning Commission as in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, Ordinances, the applications related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 749-4501 ext. 6878; e-mail planning@manateecountyfla.gov.

The hearing may be continued from time to time to a date and time certain or to no date certain and re-advertised. The public may also provide written comments to the Planning Commission to consider.

Rules of procedure for this public hearing are in effect pursuant to Resolution 13-189 (PC). A copy of this Resolution is available for review or purchase from the Building and Development Services Department (see address below).

Please send comments to: Manatee County Building and Development Services Department
Attn: Planning Commission
1112 Manatee Ave. West 4th Floor
Bradenton, FL 34205
941-749-4501 ext. 6878
planning@manateecountyfla.gov

Interested parties may appear and be heard at the meeting with respect to the proposed ordinances.

Interested parties may examine the proposed Ordinance and related documents and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department.

Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 749-4501 EXT. 6878; e-mail planning@manateecountyfla.gov.

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According to Section 218.01(5), Florida Statutes, if a person decides to appeal any decision made with respect to any matter 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.

SAB HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJUSTMENTS

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

NOTICE OF LAND USE CHANGE

OFFICIAL ACTION: AFFECTING OR REGULATING USE OF REAL PROPERTY IN UNINCORPORATED MANATEE COUNTY - NOTICE TO REAL PROPERTY OWNERS AND GENERAL PUBLIC

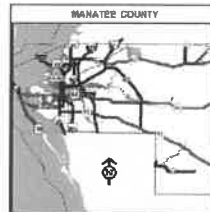
The Manatee County Planning Commission will hold a public hearing to consider amendments to the Manatee County Comprehensive Plan and changes to the restrictions affecting certain lands within the unincorporated area of Manatee County with the intent to make a recommendation to the Board of Manatee County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

Date: December 17, 2020
Time: 4:00 P.M. or soon thereafter
Place: Bradenton Area Convention and Visitors Bureau
One Helen Boulevard, Palmetto, Florida

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

**PLANNING AMENDMENT - PLANNING ORDINANCE 11-02
COASTAL EVACUATION AREA OVERLAY DISTRICT AND
COASTAL PLANNING AREA (CPA)
MAP AMENDMENT**

Resolution of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning, according Ordinance 08-01, as amended, the Manatee County Comprehensive Plan; providing purpose and intent; providing findings; providing for a Map Amendment of the Manatee County Comprehensive Plan; to update the boundaries of the Coastal Evacuation Area (CEA) Overlay District on the Manatee County Land Use Map Series and the Coastal Planning Area (CPA) to update the boundaries of the Coastal Planning Area (CPA) located in the Coastal District, to preserve consistency with the Manatee Regional Evacuation Study for Emergency Preparedness, and providing 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 to the Planning Commission to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 13-189 (PC). Copies of this Ordinance may be obtained from the Building and Development Services Department (see address below).

Please Send Comments To: Manatee County Building and Development Services Department
Attn: Planning Commission
1112 Manatee Ave. West 4th Floor
Bradenton, FL 34205
planning@manateecountyfla.gov

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. 6878, between 8:00 AM and 5:00 PM.

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According to Section 218.01(5), Florida Statutes, if a person decides to appeal any decision made with respect to any matter 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.