

APRIL 2, 1998

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, April 2, 1998, at 1:35 p.m.

Present were Commissioners:

Patricia M. Glass, Chairman
 Gwendolyn Y. Brown, First Vice-Chairman (entered during meeting)
 Joe McClash, Second Vice-Chairman
 Jonathan Bruce, Third Vice-Chairman
 Stan Stephens
 Lari Ann Harris

Absent was Commissioner: Amy Stein, due to illness

Also present were:

Teddy N. Williams, Jr., County Attorney
 Susan G. Romine, Board Records Supervisor,
 representing R. B. Shore, Clerk of Circuit Court

The Special meeting notice was advertised and received by fax.

COMPREHENSIVE PLAN AMENDMENTS

Public hearings (Notices in the Bradenton Herald 3/28/98) were held to consider (advertisement is less specific than ordinance headings)

ORDINANCE 97-16 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (SHEETS 4, 5, 10, 11, 12, 13, 17, 18 AND 19) TO ADJUST THE BOUNDARIES OF THE COASTAL HIGH HAZARD OVERLAY DISTRICT, AND MAPS 4A AND 4B OF THE COASTAL MANAGEMENT ELEMENT, FOR CONSISTENCY WITH BEST AVAILABLE DATA AND FOR CONSISTENCY WITH THE REQUIREMENTS OF RULE 9J-5.003, AS AMENDED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA(EAR)-97-16: Coastal Maps and Overlays)

Carol Clarke, Planning Director, noted that on March 17, 1998, the Board voted to reconsider all of the Comprehensive Plan Ordinances heard on February 24, 1998. She outlined changes made in order to comply with state guidelines. She displayed a Sea, Lake & Overland Surges from Hurricanes (SLOSH) Hurricane Evacuation Zone A map and used a Coastal Planning Area map with three overlays to demonstrate the new areas and descriptions:

1. The Coastal High Hazard Area will become the Coastal Evacuation Area;
2. The five-foot contour area will become the Coastal Storm Vulnerability Area;
3. The FEMA Velocity Zone has been redefined.

Discussion: Reconsideration of Cycle I Plan Amendment ordinances; policies are the same, terms used are consistent with state requirements; ordinance more stringent than statute requires; evacuation routes to stay the same with latitude to change, as needed.

(Enter Ms. Brown)

Based upon the evidence presented, comments made at the public hearing, the action of the Planning Commission, upon the technical support documents, the Evaluation and Appraisal Report, finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. McClash moved to adopt Manatee County Ordinance 97-16 (Plan Amendment PA(EAR)-97-16). Motion was seconded by Mr. Bruce and carried 6 to 0.

RECORD S46-414

ORDINANCE 97-01 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING, REVISING, AND REFORMATTING IN ITS ENTIRETY, MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN, WHICH WILL CONTROL FUTURE LAND USE, PUBLIC FACILITIES, AND NATURAL RESOURCES PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT (PART II OF CHAPTER 163, FLORIDA STATUTES), INCLUDING GENERAL INFORMATION, DEFINITIONS, FUTURE LAND USE, CONSERVATION, COASTAL MANAGEMENT, TRAFFIC CIRCULATION, MASS TRANSIT, AVIATION, PORT, HISTORIC AND CULTURAL RESOURCES, HOUSING, RECREATION AND OPEN SPACE, PUBLIC FACILITIES, CAPITAL IMPROVEMENTS, INTRAGOVERNMENTAL AND INTERGOVERNMENTAL COORDINATION, AND PLAN MONITORING AND EVALUATION ELEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA(EAR)-97-01: Text Amendments)

Ms. Clarke stated that text was changed to coincide with the new maps and definitions of zones were added in the cross-references.

Michael Wood, Planning Department, stated that a correction was required in Policy 5.2.1.5, the third line of the policy, the word "further" should be changed to "future". It should read, "...location of future transportation corridors"...

Based upon the evidence presented, comments made at the public hearing, the action of the Planning Commission, upon the technical support documents, the Evaluation and Appraisal Report, finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. McClash moved to adopt Manatee County Ordinance 97-01 (Plan Amendment PA(EAR)-97-01), with the change proposed by staff this date. Motion was seconded by Mr. Bruce and carried 6 to 0. **RECORD** S46-415

ORDINANCE 97-15 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (SHEETS 7, 8, 9, 14, 15, 16, 19, 20, 21 AND 22) TO ADJUST THE BOUNDARIES OF THE WATERSHED OVERLAY DISTRICT FOR CONSISTENCY WITH BEST AVAILABLE DATA FOR CERTAIN LAND CONSISTING OF 116,189.33 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA(EAR)-97-15: Watershed Boundaries)

Based upon the evidence presented, comments made at the Public Hearing, the action of the Planning Commission, upon the technical support documents, the Evaluation and Appraisal Report, finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. McClash moved to adopt Manatee County Ordinance 97-15 (Plan Amendment PA(EAR)-97-15). Motion was seconded by Mr. Bruce and carried 6 to 0. **RECORD** S46-416

ORDINANCE 97-17 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (SHEETS 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23 AND 24) TO ADD THE LOCATION OF PUBLIC SUPPLY WELLS AND WELLHEAD PROTECTION AREAS WITHIN UNINCORPORATED MANATEE COUNTY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA(EAR)-97-17: Wellhead Protection Map)

Based upon the evidence presented, comments made at the Public Hearing, the action of the Planning Commission, upon the technical support documents, the Evaluation and Appraisal Report, finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. Bruce moved to adopt Manatee County Ordinance 97-17 (Plan Amendment (EAR)-97-17). Motion was seconded by Mr. McClash and carried 6 to 0. **RECORD** S46-417

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(Continued)

ORDINANCE 97-19 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE PORT MASTER PLAN IN CHAPTER 4, COASTAL ELEMENT, TO UPDATE CURRENT CONDITIONS AND PROPOSED IMPROVEMENTS AT THE PORT AND REVISE EXISTING GOALS, OBJECTIVES AND POLICIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
(PA(EAR)-97-19: Port Manatee)

Ms. Clarke stated that the Port Master Plan belonged within the Coastal Element and some changes may have been made to the Port Master Plan to coincide with the requirements.

Based upon the evidence presented, comments made at the Public Hearing, the action of the Planning Commission, upon the technical support documents, the Evaluation and Appraisal Report, finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. Bruce moved to adopt Manatee County Ordinance 97-19 (Plan Amendment (EAR)-97-19). Motion was seconded by Mr. McClash and carried 6 to 0. RECORD S46-418

DEPARTMENT OF COMMUNITY AFFAIRS

Mark Barnebey, Assistant County Attorney, advised that the Department of Community Affairs has requested a letter from the Board as to the stance of the 1998 Cycle I Plan Amendments.

Mr. McClash moved for approval of, and authorization for the Chairman to execute a letter to the Department of Community Affairs advising that the Board reconsidered and passed all the Cycle I Plan Amendments this date. Motion was seconded by Mr. Stephens and carried 6 to 0.

PUBLIC DEFENDER - INDIGENT APPELLANTS

Teddy N. Williams, Jr., County Attorney, reported that Manatee County is granted amicus curiae status, In Re: Public Defender's Certification of Conflict and Motion to Withdraw Due to Excessive Case Load and Motion for Writ of Mandamus. He stated that the Florida Supreme Court is allowing 15 minutes per side for oral arguments on April 7, 1998, and he requested the Board allow him the discretion to attend if he learns that Manatee County will be given a portion of the time to present arguments.

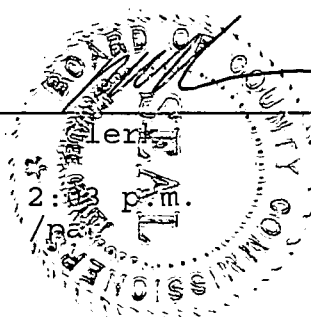
Motion was made by Mr. Bruce and seconded by Ms. Brown, to accept the County Attorney's recommendation in this matter. Motion carried 6 to 0.

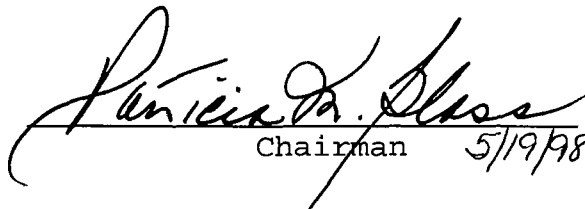
MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

Adj: 2:00 p.m.



Chairman 5/19/98