

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA AMENDING MANATEE COUNTY ORDINANCE 80044, THE MANATEE PLAN, TO EXTEND THE CORTEZ COMMERCIAL SUB-AREA BY AMENDING MAPS, TEXT AND OTHER PROVISIONS OF THE FUTURE LAND USE ELEMENT OF THE MANATEE PLAN: POLICY DOCUMENT; AMENDING THE MANATEE PLAN: TECHNICAL ANALYSIS ACCORDINGLY, AS REQUIRED BY PARAGRAPH 2-3 OF THE PLAN ADMINISTRATION PORTION OF THE MANATEE PLAN; POLICY DOCUMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Manatee Plan ("The Plan") was adopted as the Comprehensive Plan for Manatee County on November 14, 1980, and made effective April 30, 1981, pursuant to the requirements and provisions of the Local Government Comprehensive Planning Act Sections 163.3161-163.3211, Florida Statutes ("The Act"); and

WHEREAS, from time to time amendments to The Plan are necessary and desirable in order to ensure its currency and continuing appropriateness as the principal guide for land use and development in Manatee County; and

WHEREAS, the Manatee County Planning Commission initiated amendments to The Plan on February 6, 1985, which are the amendments hereby adopted except as the same may have been modified by direction of the Board of County Commissioners during the public hearing thereon; and

WHEREAS, these amendments are amendments to the Future Land Use Element of the Plan involving less than five percent of the land area of the unincorporated area of Manatee County, and

WHEREAS, the Manatee County Planning Commission, as the Local Planning Agency for Manatee County held a public hearing on the proposed amendment, after due public notice, on February 6, 1985, and has made its recommendation to the Board of County Commissioners as required by law, and

WHEREAS, the Board of County Commissioners has found the amendment to be consistent with all other prescriptive provisions of The Manatee Plan, as required by law, and has made all findings and evaluated all criteria and considerations as required by law, and

WHEREAS, all procedures prescribed by the Act and by The Manatee Plan have been followed, and

WHEREAS, adoption of the amendment will promote the public health, safety and welfare and the purposes of the Act and of The Manatee Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:

1. The Manatee Plan: Policy Document

Future Land Use Element, Figure 18-3, Cortez Area Plan is amended to appear as shown on Attachment A.

2. The Manatee Plan: Technical Analysis, Population and Economics, Appendix A: Economic Assumptions, is amended to add:

ORDINANCE 85-09 AMENDMENT
FUTURE LAND USE
MARCH, 1985

- A. Cortez Study Area: The economic assumptions are those in the adopted plan.

3. The Manatee Plan: Technical Analysis, Intergovernmental Coordination Element, Appendix D, is amended to add:

ORDINANCE 85-09 AMENDMENTS
FUTURE LAND USE
MARCH, 1985

- B. Future Land Use Element: The amendment will have no effect on surrounding jurisdictions.
4. The Manatee Plan: Technical Analysis, Land Use Element, Appendix C is amended to add:

ORDINANCE 85-09
FUTURE LAND USE
MARCH, 1985

A. Summary of Amendments

Figure 18-3 Extend the boundaries of the "present" commercial sub-area of the Cortez Area Plan.

B. Adequacy of Supporting Data.

The subject parcel is encumbered by conditions that frustrate development expectations.

Bordered on the east and west by high density residential development (14 and 16 units per acre), the subject parcel is limited to residential development at 4.5 dwelling units per acre. This permits three (3) units under the current plan designation.

The proposed amendment, while also permitting commercial development, would allow residential development at ten (10) units per acre or six (6) units on the site. One of the major reasons for the Cortez density limitation was to prevent a further deterioration of the traffic problem. Adding an additional three units would not have a measurable effect.

The present zoning on the property is C-1A (Resort Commercial District). Thus with approval of the amendment, commercial activity could commence. However, if the development exceeds 2,000 square feet or is classified as a "trip attractor", a Planned Development Commercial rezone and site plan would be required. This should provide sufficient assurances that a commercial use would be compatible with the high density residential character of the area.

C. Consistency With Remainder of Plan Policies.

The proposed plan amendment is consistent with development approvals already granted by the County in this area prior to the adoption of the Cortez Area Plan. Due to a combination of factors, including the subject property's current PDR designation in the Cortez Plan, the existing C-1A (Resort Commercial District) zoning, and the size of the vacant parcel itself, development opportunities are frustrated. A plan amendment would provide relief without setting undesirable precedents.

5. Effective Date

This ordinance shall take effective immediately upon receipt of the official acknowledgement from the Secretary of State that same has been filed with that office.

PASSED AND DULY ADOPTED, with a quorum present and voting this the 28th day of March, 1985.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: Edward W. Chance
Edward W. Chance, Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

BY 

STATE OF FLORIDA


COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 28th day of March, 1985.

SUBJECT: MANATEE COUNTY ORDINANCE 85-09

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA AMENDING MANATEE COUNTY ORDINANCE 80-4, THE MANATEE PLAN, TO EXTEND THE CORTEZ COMMERCIAL SUB-AREA BY AMENDING MAPS, TEXT AND OTHER PROVISIONS OF THE FUTURE LAND USE ELEMENT OF THE MANATEE PLAN; POLICY DOCUMENTS; AMENDING THE MANATEE PLAN: TECHNICAL ANALYSIS ACCORDINGLY, AS REQUIRED BY PARAGRAPH 2-3 OF THE PLAN ADMINISTRATION PORTION OF THE MANATEE PLAN; POLICY DOCUMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 1st day of April, 1985, in Bradenton, Florida.



R. B. Shore, Clerk of Circuit Court
Manatee County, Florida



FILED FOR RECORD FLORIDA DEPARTMENT OF STATE

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George Firestone
Secretary of State

April 8, 1985
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA
Clerk of the Circuit Court
Post Office Box 1000
Manatee County Courthouse
Bradenton, Florida 33506

MANATEE CO. FLORIDA
CLERK CIRCUIT COURT
P.B. SHORE

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of your letter/s of April 2 and March 27 and certified copy/ies of Manatee County Ordinance Nos. (85-09) and Z-85-121
2. Receipt of _____ County Ordinance/s relative to:
 - (a) _____
which we have numbered _____
 - (b) _____
which we have numbered _____

We have filed this/these Ordinance(s) in this office on April 8, 1985.

The original/duplicate copy/ies showing the filing date is/are being returned for your records.

Cordially,

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code

LC/

Enclosures

Cortney Plan