

CLERK OF DISTRICT COURT  
MANATEE COUNTY, FLORIDA

SECRETARY OF STATE

Oct 17 11 26 AM '86

FILED

ORDINANCE NO. 86-41

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA AMENDING MANATEE COUNTY ORDINANCE 80-4, THE MANATEE PLAN, TO DESIGNATE PLANNED MARINA DEVELOPMENT (PDM) AS A SECONDARY LAND USE IN THE PALMA SOLA SECTOR, TO ESTABLISH CRITERIA FOR IDENTIFICATION OF APPROPRIATE SITES FOR THE PLANNED MARINA DEVELOPMENT LAND USE IN THE PALMA SOLA SECTOR AND TO DESIGNATE ONE SITE AS APPROPRIATE; PROVIDING SEVERABILITY; 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, 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 Planning Commission initiated amendments to the Plan on April 2, 1986, 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 amendments, after due public notice, on April 30, 1986 and has made its recommendation to the Board of County Commissioners as required by law, and

" 3 "

Zoning - Plan Amendment (Marina Dev.)

WHEREAS, on May 28 and June 11, 1986, the Board of County Commissioners held a public hearing, after due public notice, and approved transmittal of the proposed amendments to the Department of Community Affairs for review, and the Department of Community Affairs did make comments on the proposed amendments, pursuant to the requirements and provisions of the Act, and

WHEREAS, on October 9, 1986 the Board of County Commissioners held a public hearing, after due public notice, and

WHEREAS, the Board of County Commissioners has found these amendments 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 these amendments 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,

Section IV, Future Land Use Element,

SECTORS 4-4(B) is amended to add:

"10. Planned Marina Development. The Planned Marina Development District should promote high standards in layout, design, and construction of boat livery/marina development located with good access and on navigable waters of the County while promoting environmentally sensitive use of waterfront property and preserving and enhancing waterfront vistas. Planned Marina Development would facilitate use of the most advantageous construction techniques in the development of waterfront land for a planned commercial marina and boat livery and other appropriate secondary uses.

The development of Planned Marina Development (PDM) may be a secondary land use where there is direct access to a major thoroughfare and direct access to navigable waterways.

In accordance with Policy 7-7.B. of the Conservation Element, Planned Marina Development shall require appropriate provision for protection of the manatee based on the need as identified through manatee studies of the Department of Natural Resources.

2. The Manatee Plan: Policy Document

Section IV, Future Land Use Element, INDIVIDUAL SECTORS 4-6 is amended to add:

"F. PALMA SOLA Sector The development of Planned Marina Development (PDM) may be used as a secondary use in this sector where there is:

- (1) direct access to a major thoroughfare,
- (2) direct access to navigable waterways,
- (3) a minimum of 2 acres to ensure provision and efficient use of open space, and
- (4) a site that has previously been operated as a marina with boat livery.

These criteria are unique to one site, shown in Figure 4-5, in the Palma Sola Sector.

3. The Manatee Plan: Policy Document

Section IV, Future Land Use Element,

Figure 4-9, Sector Uses is amended to appear as shown on Attachment A.

4. The Manatee Plan: Policy Document

Section IV, Future Land Use Element,

Figure 4-5, Southwest County Sectors is amended to appear as shown on Attachment B.

5. The Manatee Plan: Policy Document

Section XIX, DEFINITIONS

C = Commercial Use is amended to include:

"Planned-marina Development

6. The Manatee Plan: Policy Document

Section XIX, DEFINITIONS is amended to alphabetically add the following definitions which shall read

"navigable waters - as applicable in this document, waters where no new dredging, other than periodic maintenance dredging, is required to allow a motor driven boat with a draft of 3 feet to operate without substantially disturbing the waterway bottom.

"planned-marina development (C) - A primarily marina land development under unified control, developed according to a comprehensive and detailed plan, and whose uses are interrelated in character and function. Such development shall be located in a planned-marina zoning district."

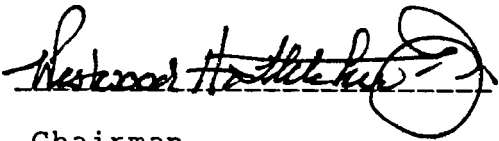
Severability. If any part, section, subsection, or other portion of this Ordinance, or any application thereof to any person or circumstance is declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The Board declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision or application.

Effective Date. This Ordinance shall take effect immediately upon receipt of the official acknowledgment from the Secretary of State that same has been filed with that office.

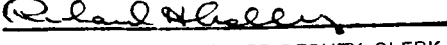
PASSED AND DULY ADOPTED, with a quorum present and voting this the 9th day of October, 1986

BOARD OF COUNTY COMMISSIONERS

MANATEE COUNTY, FLORIDA

By:   
Chairman

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

BY:   
RICHARD H. ASHLEY, CHIEF DEPUTY CLERK

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 9th day of October, 1986.

SUBJECT: ORDINANCE NO. 86-41

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 80-4, THE MANATEE PLAN, TO DESIGNATE PLANNED MARINA DEVELOPMENT AS A SECONDARY LAND USE IN THE PALMA SOLA SECTOR, TO ESTABLISH CRITERIA FOR IDENTIFICATION OF APPROPRIATE SITES FOR THE PLANNED MARINA DEVELOPMENT LAND USE IN THE PALMA SOLA SECTOR AND TO DESIGNATE ONE SITE AS APPROPRIATE; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 14th day of October, 1986, in Bradenton, Florida.

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



FLORIDA DEPARTMENT OF STATE  
George Firestone  
Secretary of State

FILED  
CLERK OF CIRCUIT COURT  
MANATEE COUNTY FLORIDA

FILED FOR RECORD  
1986 OCT 20 PM 5 01

October 17, 1986

Honorable R. B. "Chips" Shore  
Clerk of Circuit Court  
Manatee County Courthouse  
Post Office Box 1000  
Bradenton, Florida 33506

Attention: Richard B. Ashley, Deputy Clerk

Dear Mr. Shore:

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

1. Receipt of letter/s of October 14, 1986  
and certified copy/ies of Manatee  
County Ordinance(s) \* 85-1(Z), 86-69(Z), 86-71(Z)  
(Zoning) and Ord. (86-41) (Planned Marina Development)
2. Receipt of \_\_\_\_\_ County Ordinance(s)  
relative to:  
(a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_  
(b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed ~~this~~/these Ordinance(s) in this office  
on October 17, \_\_\_\_\_ 1986.  
one each
4. The ~~original~~ original/duplicate copy/ies showing the filing date  
~~is~~/are being returned for your records.

Cordially,

*Vicki Musgrave*  
for (Mrs.) Liz Cloud, Chief  
Bureau of Administrative Code

\*(1985)

LC/mb

Enclosures 4

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