

ORDINANCE NO. 88-07

AN ORDINANCE OF THE COUNTY OF MANATEE FLORIDA AMENDING MANATEE COUNTY ORDINANCE 80-4, THE MANATEE PLAN, FUTURE LAND USE ELEMENT, SECTION 4-10 INDUSTRIAL AREAS TO EXPAND THE TROPICANA INDUSTRIAL AREA TO INCLUDE THE AREA EAST OF THE PRESENT INDUSTRIAL AREA AND WEST OF THE CITY OF BRADENTON INCORPORATED BOUNDARY, BETWEEN 13TH AVENUE EAST AND TROPICANA PRODUCTS, INC PROPERTY TO THE SOUTH; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ALLMAN, COUNTY CLERK  
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FILED  
CLERK OF COUNTY  
MANATEE CO., FLORIDA

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WHEREAS, Manatee County Ordinance 80-4, establishing a comprehensive plan for Manatee County known as the Manatee Plan ("the Plan") was adopted pursuant to general law for the purpose of providing a framework for land use and development in the unincorporated area of Manatee County; and

WHEREAS, amendments to the Plan necessary to reflect development trends in Manatee County may be in accordance with general law; and

WHEREAS, on October 7, 1987, the Manatee County Planning Commission, as the local planning agency, initiated amendments to the Plan associated with the first of two amendment actions allowed during the 1988 year; and

WHEREAS, on October 21, 1987, the Manatee County Planning Commission, after due public notice, held a public hearing to consider the Amendment, and has passed a resolution on November 18, 1987 regarding its recommendation and findings of fact to the Board of County Commissioners as required by law; and

WHEREAS, on December 10, 1987, after due public notice, the Board of County Commissioners of Manatee County ("the Board") received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing to consider the Amendment in accordance with Florida Statutes, Section 163.3184; and

WHEREAS, on January 28, 1988, the Board of County Commissioners of Manatee County, Florida, pursuant to Florida Statutes, Section 163.3184(1)(c) provisions for "Small Scale Development Activities", after due public notice, held a second public hearing on the amendment; and

WHEREAS, all applicable requirements of general law and local law have been followed.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT THE BOARD MAKES THE FOLLOWING FINDINGS OF FACT:

1. Notice of Public Hearing in these proceedings was duly published in The Bradenton Herald, a newspaper of general circulation in Manatee County, Florida, pursuant to Section 163.3184, Florida Statutes, and proof of such publication has been duly filed in these proceedings.

2. Upon consideration of all matters contained in Section 2-3 of the Plan Administration Element of the Plan and Section 163.3184, Florida Statutes, the Board finds that the Amendment:

(a) is consistent with all other prescriptive provisions of the Plan;

(b) will promote the purpose of the Plan and Chapter 163, Florida Statutes; and

(c) will promote the public health, safety and welfare of the citizens of Manatee County, Florida.

BE IT FURTHER ORDAINED by the Board as to conclusions of law, that the proceedings have been conducted pursuant to Chapter 163, Florida Statutes and the Plan Administration Element of The Manatee Plan.

*Tropicana Industry Expansion*

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BE IT FURTHER ORDAINED by the Board that:

1. The Manatee Plan shall be amended as follows:

Amend Section IV, Future Land Use Element, Section 4-10 INDUSTRIAL AREAS to expand the Tropicana Industrial Area by replacing Figure 4-16 with a new Figure 4-16 as depicted in Attachment 1.

2. The Manatee Plan: Technical Analysis shall be amended as follows:

(a) SECTION 2, Population and Economic Characteristics, Appendix A: Economic Assumptions, is amended to add:

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The economic conditions which existed at the time of the adopted Plan, appear to remain substantially the same with respect to existing industrial growth and employment generators. However, the economic status of Tropicana Products, Inc. has grown necessitating the expansion of the Tropicana Industrial Area.

(b) SECTION 3, Intergovernmental Coordination Element, Appendix B, is amended to add:

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The proposed expansion does abut the incorporated boundary of the City of Bradenton; however, with appropriate screening and buffering, which would be required with any special permit, protective measures can be taken to reduce the land use conflicts which presently exist, also avoiding future conflicts.

(c) SECTION 3, Intergovernmental Coordination Element, Appendix D, is amended to add:

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A. SUMMARY OF AMENDMENTS

Page 4-36            Replace old Figure 4-16 with a new Figure 4-16 representing the expansion of the Tropicana Industrial Area.

B. ADEQUACY OF SUPPORT DATA

The proposed amendment is based upon the premise that the proposed expansion area was left out of the present industrial area by mistake. Historic research into the issue does not indicate why this small portion of R-3 zoned land was excluded for the industrial area. From all indications the proposed expansion appears to be similar to the present industrial area; therefore, it should be regulated in the same manner.

C. CONSISTENCY WITH REMAINDER OF PLAN POLICIES

The proposed plan amendment is consistent with all applicable provisions of The Manatee Plan.

3. 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.

4. 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 28<sup>th</sup> day of January, 19 88.

BOARD OF COUNTY COMMISSIONERS

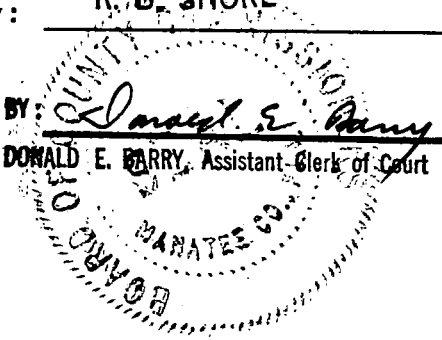
MANATEE COUNTY, FLORIDA

By: K. G. Chitt  
Chairman 1-28-88

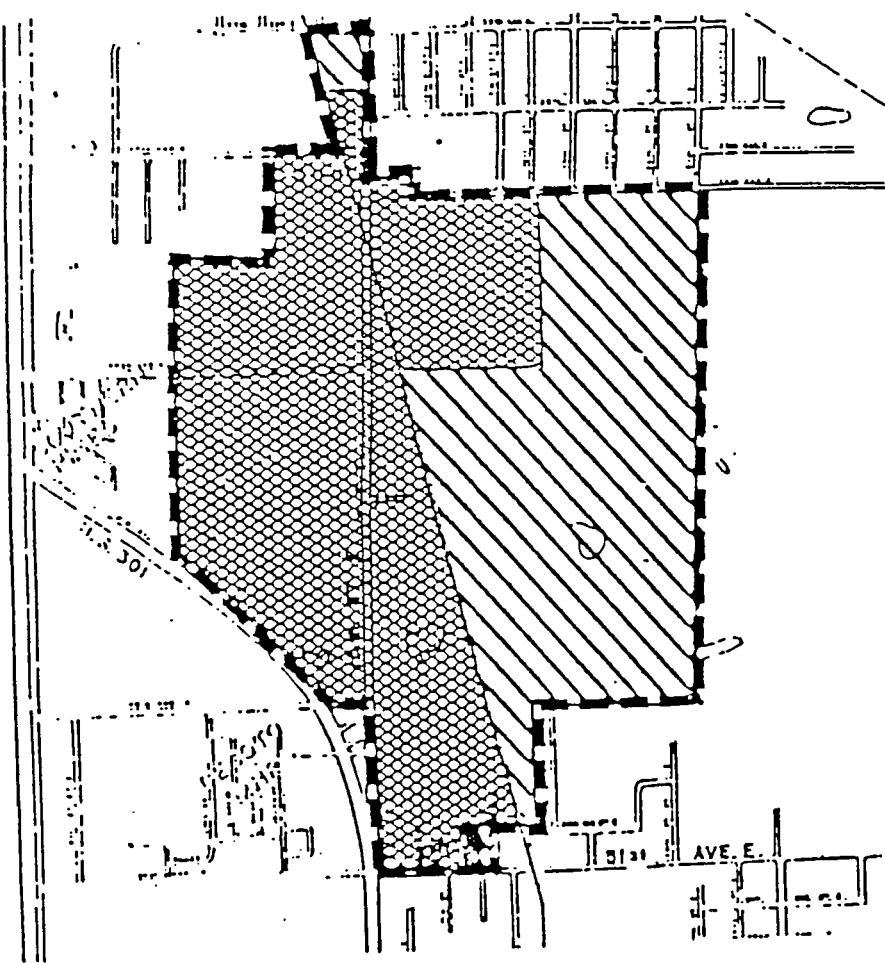
ATTEST: R. B. Shore  
Clerk of the Circuit Court

By: R. B. SHORE

BY: Donald E. Barry  
DONALD E. BARRY, Assistant Clerk of Court

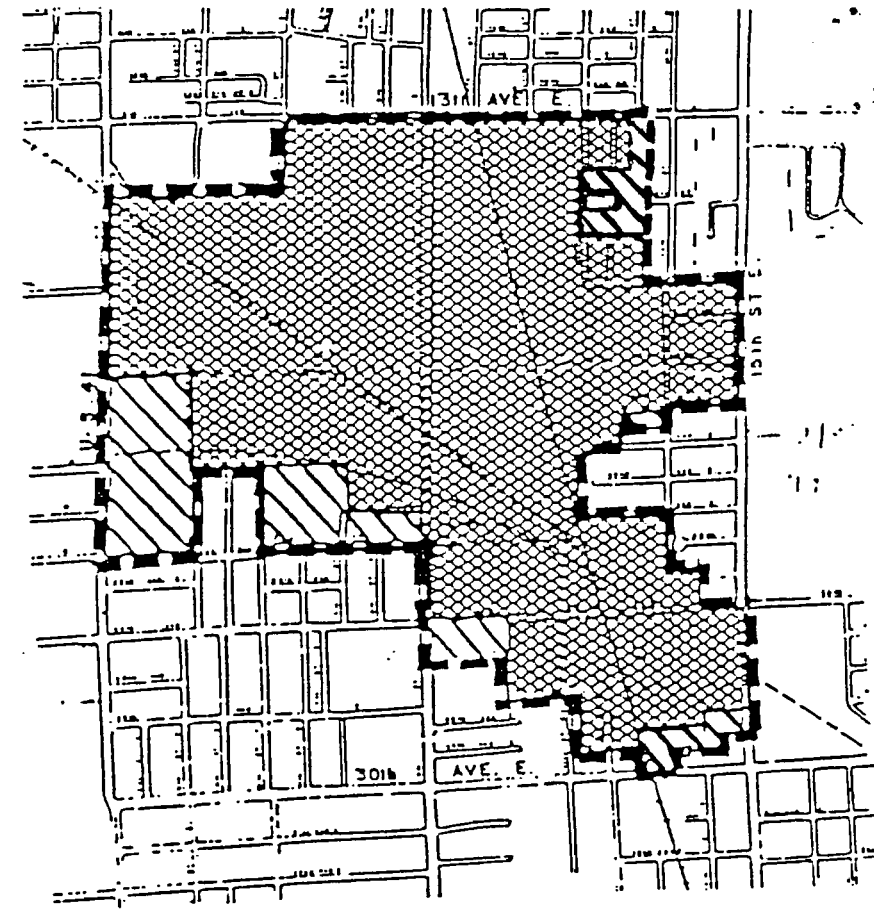


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SAMOSET INDUSTRIAL AREA

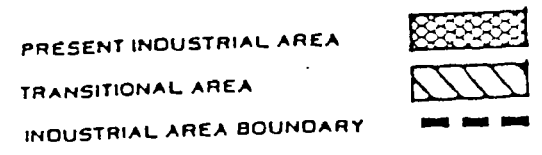
Amended  
Ord. 81-20  
10/27/81



TROPICANA INDUSTRIAL AREA

Amended  
Ord. 88-07

FIGURE 4-16  
SAMOSET AND TROPICANA INDUSTRIAL AREAS



ATTACHMENT 1  
THE MANATEE PLAN

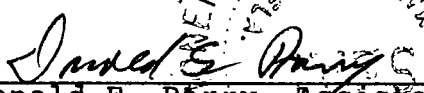
STATE OF FLORIDA

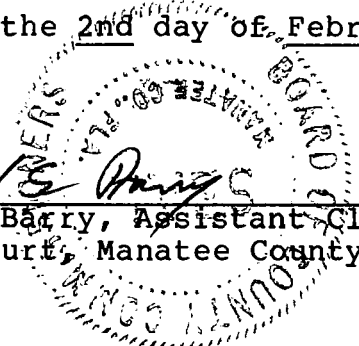
COUNTY OF MANATEE

I, Donald E. Barry, Assistant 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 January, 1988.

SUBJECT: ORDINANCE 88-07  
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA AMENDING MANATEE COUNTY ORDINANCE 80-4, THE MANATEE PLAN, FUTURE LAND USE ELEMENT, SECTION 4-10 INDUSTRIAL AREAS TO EXPAND THE TROPICANA INDUSTRIAL AREA TO INCLUDE THE AREA EAST OF THE PRESENT INDUSTRIAL AREA AND WEST OF THE CITY OF BRADENTON INCORPORATED BOUNDARY, BETWEEN 13TH AVENUE EAST AND TROPICANA PRODUCTS, INC PROPERTY TO THE SOUTH; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 2nd day of February, 1988, in Bradenton, Florida.

  
\_\_\_\_\_  
Donald E. Barry, Assistant Clerk of  
Circuit Court, Manatee County, Florida





FLORIDA DEPARTMENT OF STATE

Jim Smith  
Secretary of State

Dorothy W. Joyce  
Division Director

February 5, 1988

Honorable R. B. Shore  
Clerk of Circuit Court  
Manatee County  
Post Office Box 1000  
Bradenton, Florida 34206  
Attention: Donald E. Barry, Assistant Clerk of Court

FILED  
FEB 10 10 58 AM '88  
CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA

Dear Mr. Shore:

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

1. Receipt of letter/s of February 2, 1988  
and certified copy/ies of Manatee  
County Ordinance(s) 786-120,  
787-61, 787-62, and  
#88-7
2. Receipt of \_\_\_\_\_ County Ordinance(s)  
relative to:  
(a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_  
(b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed ~~this~~/these ordinances in this office  
on February 5, 1988.
4. The ~~original~~/duplicate copy/ies showing the filing date  
is/are being returned for your records.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mb

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