

ORDINANCE NO. 88-18

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 PROPERTY PRESENTLY OWNED BY FLORIDA POWER AND LIGHT COMPANY AND BEING USED AS AN ELECTRICAL UTILITY SUBSTATION, AND WHICH IS IMMEDIATELY ADJACENT TO THE EASTERN BORDER OF THE EXISTING INDUSTRIAL AREA; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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CLERK OF COUNTY
MANATEE COUNTY, FLORIDA

MAY 12 1 36 PM '88

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 and the transmittal of the proposed amendments to the Florida Department of Community Affairs ("DCA") in accordance with Florida Statutes, Section 163.3184; and

WHEREAS, on April 28, 1988, the Board of County Commissioners of Manatee County, Florida, after receiving comments from the Department of Community Affairs, 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.

Future Land Use Element - Tropicana

88-18

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:

ORDINANCE NO. 88-18 AMENDMENTS
APRIL, 1988

The existing economic conditions are substantially the same as those at the time of the Plan's adoption, with respect to growth industries and employment generators.

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

ORDINANCE NO. 88-18 AMENDMENTS
APRIL, 1988

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:

ORDINANCE NO. 88-18 AMENDMENTS
APRIL, 1988

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 28th day of April, 19 88.

BOARD OF COUNTY COMMISSIONERS

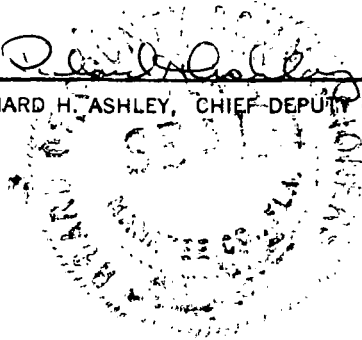
MANATEE COUNTY, FLORIDA

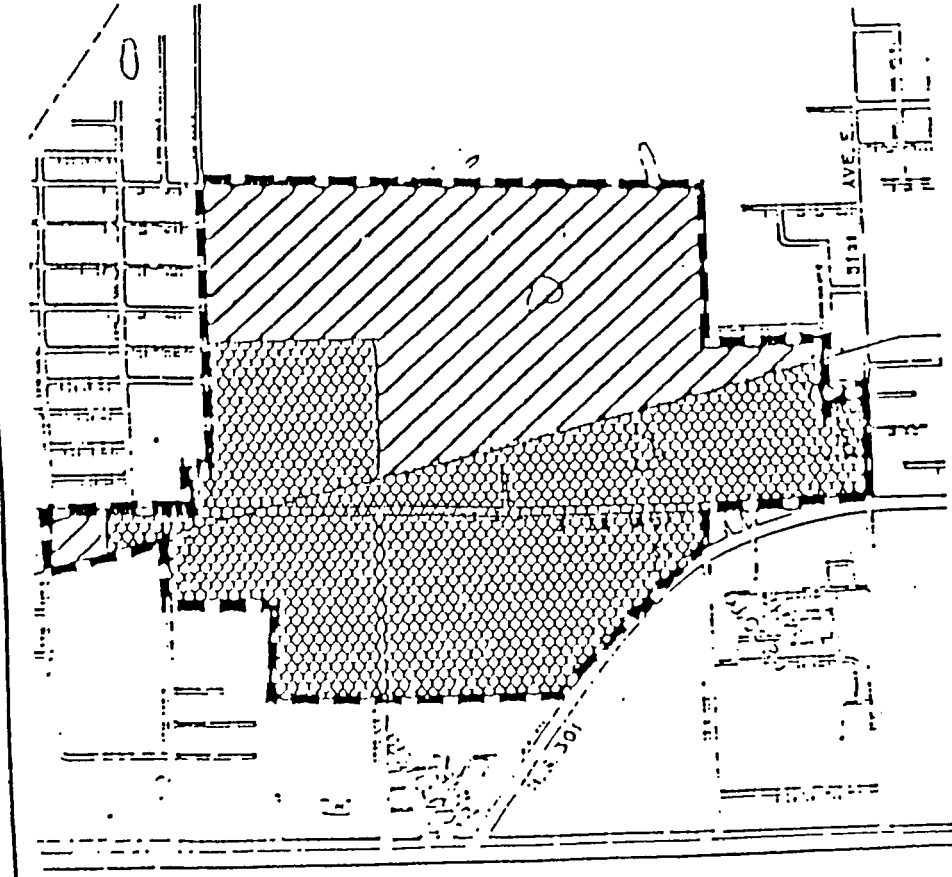
By: Kenn G. Challen
Chairman

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

By: R. B. SHORE

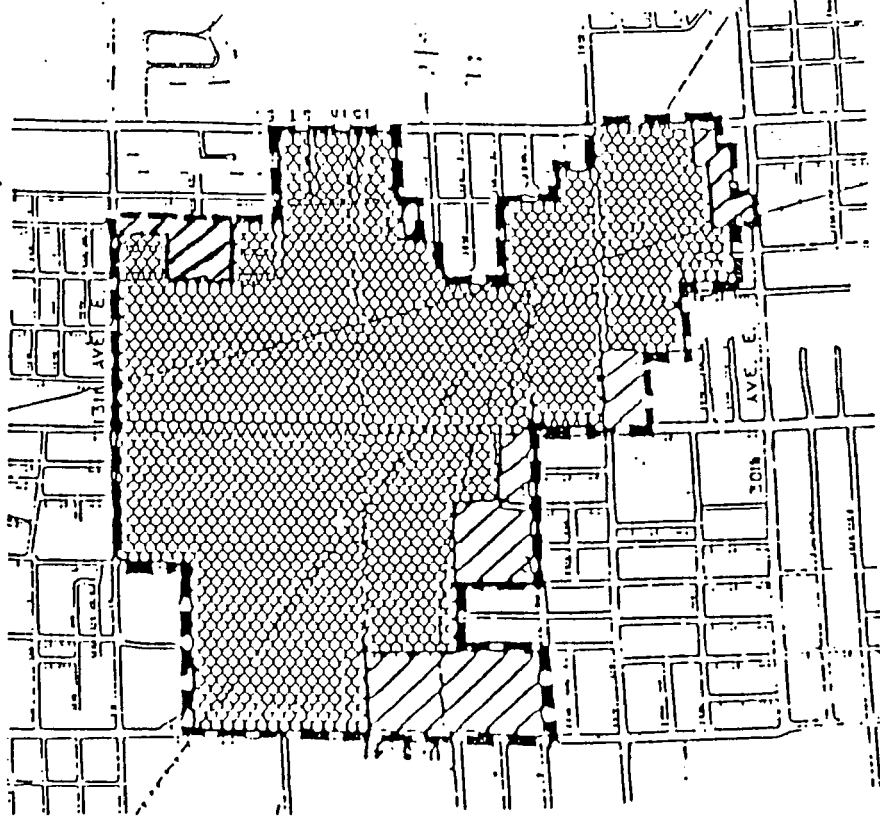
BY: Richard H. Ashley
RICHARD H. ASHLEY, CHIEF DEPUTY CLERK





SAMOSSET INDUSTRIAL AREA

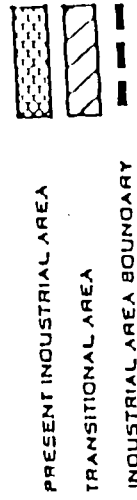
Amended
Ord. 81-20
10/27/81



TROPICANA INDUSTRIAL AREA

Amended
Ord. 88-07
1/28/88
Amended
Ord. 88-18

FIGURE 4-16
SAMOSET AND TROPICANA INDUSTRIAL AREAS



STATE OF FLORIDA

COUNTY OF MANATEE

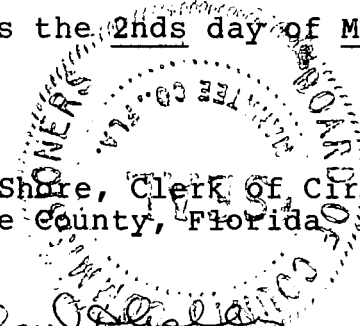
I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of:

SUBJECT: ORDINANCE NO. 88-18:

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 PROPERTY PRESENTLY OWNED BY FLORIDA POWER AND LIGHT COMPANY AND BEING USED AS AN ELECTRICAL UTILITY SUBSTATION, AND WHICH IS IMMEDIATELY ADJACENT TO THE EASTERN BORDER OF THE EXISTING INDUSTRIAL AREA; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

A circular official seal of the Clerk of Circuit Court for Manatee County, Florida. The seal contains the text "CLERK OF CIRCUIT COURT" around the top inner edge, "MANATEE COUNTY, FLORIDA" around the bottom inner edge, and "OFFICIAL SEAL" in the center. The seal is partially obscured by the signature and text below it.
P. [Signature]
By: Deputy Clerk



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State
DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427

May 6, 1988

FILED
MAY 12 1 36 PM '88
CLERK OF CIRCUIT COURT
MANATEE COUNTY FLORIDA

Honorable Richard B. Shore
Clerk of Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 34206

Attention: Richard H. 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 May 2, 1988
and certified copy/ies of Manatee
County Ordinance(s) 88-17, 88-18, 786-99, 787-55(R)
and 788-05 and 88-19
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 May 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

Enclosures (5) + (1)