

ORDINANCE NO. 88-19

FILED IN REGISTRY
K. D. SHORE
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

MAY 12 1 36 PM '88

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, SUBSECTION C DEVELOPMENT, TO ADD INDUSTRIAL DEVELOPMENT GUIDELINES; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

88 MAY -5 PM 1:21

FILED

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.

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, Subsection C Development, to add (3) Industrial Development Guidelines to read as follows:

(3) Industrial Development Guidelines.

(a) Industrial uses shall transition to lower intensity as they approach non-industrial district boundaries.

(b) Heavy industrial and very heavy industrial uses should not be located along the industrial area boundaries wherever possible.

(c) In the event that light industrial or less intensive uses cannot be located along the border of an industrial district, appropriate mitigation measures such as additional buffering and screening shall be required for the mutual protection of both industrial and non-industrial land uses.

(d) Planned industrial development is strongly encouraged throughout all industrial areas.

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 existing economic conditions are the same as those of the adopted Plan, with respect to new industries and employment generators.

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

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The proposed policy amendment appears to beneficially affect the Sarasota County, the City of Bradenton and the City of Palmetto. Industrial areas of unincorporated Manatee County abut both cities and Sarasota County. With the establishment of these industrial development guidelines, the potential for land use conflicts occurring across jurisdictional boundaries is reduced.

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

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A. SUMMARY OF AMENDMENTS

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Add Sub-subsection (3) Industrial Development Guidelines to Section 4-10 INDUSTRIAL AREAS, Subsection C Development.

B. ADEQUACY OF SUPPORT DATA

This amendment is based upon the premise that existing policies in The Manatee Plan do not adequately address the need to transition land uses along the border of industrial areas for the mutual benefit of both industrial and non-industrial uses.

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

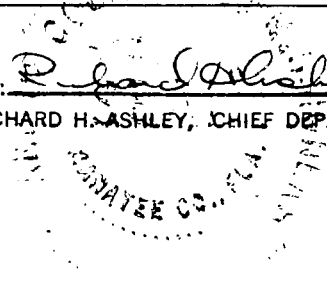
MANATEE COUNTY, FLORIDA

By: Kenneth J. Chetler
Chairman

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

By: R. B. SHORE

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



STATE OF FLORIDA

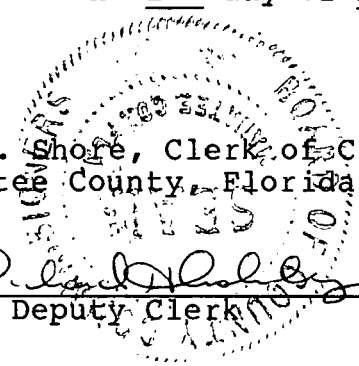
COUNTY OF MANATEE

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. 88-19:
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, SUBSECTION C DEVELOPMENT, TO ADD INDUSTRIAL DEVELOPMENT GUIDELINES; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 2nd 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 "1845" in the center. The seal is partially obscured by the signature and the text below it.
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 Z88-05 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)