

FILED FOR RECORD
R. B. SHORE

2008 APR 22 PM 12:46

ORDINANCE 08-22 (PA-08-11)

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

DEPARTMENT OF CLERK OF
TALLAHASSEE COUNTY

2008 APR 15 AM 8:57

FILED

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING A PURPOSE AND INTENT, PROVIDING FINDINGS; AND PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP FROM RES-6 (RESIDENTIAL - 6 DWELLING UNITS PER ACRE) TO MU (MIXED USE) FOR A PARCEL LOCATED IMMEDIATELY EAST OF THE OUTLET MALL AT 60TH AVENUE EAST AND FACTORY SHOPS BLVD, ELLENTON, CONSISTING OF +/- 9.91 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part II of Chapter 163, Florida Statutes, of the Local Government Comprehensive Planning and Land Development Regulation Act (the "Act"), empowers and requires County (a) to plan for the county's future development and growth, (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county, (c) to implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations, and (d) to establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of said Act; and

WHEREAS, Manatee County Ordinance 89-01, as amended, 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 established the Manatee County Comprehensive Plan; and

WHEREAS, at a duly noticed public hearing, the Manatee County Planning Commission, as the County's Local Planning Agency for purposes of the Act, considered an amendment to the Manatee County Comprehensive Plan, altering the Future Land Use Map in the Future Land Use Element, as provided in the title of this Ordinance, in order to more adequately address Manatee County's future development and growth; and

WHEREAS, the minimum statutory and plan administration requirements for public participation for the adoption of this Ordinance and the amendment of the County's Comprehensive Plan, provided herein, have been met or exceeded; and

WHEREAS, on March 13th, 2008, the Manatee County Planning Commission, after due public notice, held a public hearing to consider the amendment, and forwarded its recommendation to the Board of County Commissioners as required by law; and

WHEREAS, on April 3rd, 2008, after due public notice, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing to consider the amendment and adopted the proposed amendment in accordance with the Act; and

WHEREAS, the Board of County Commissioners has determined that the growth and development provisions initially approved are no longer appropriate because of a change in circumstance in the adopted plan has been demonstrated by the applicant;

WHEREAS, the land uses authorized pursuant to the proposed plan amendment have been found by the Board of County Commissioners to be more compatible with surrounding land uses in the area than is the current RES-6 (Residential – 6 dwelling units per acre) land use; and found to be consistent with the goals, objectives, and policies of the comprehensive plan and the technical support document for general location of future land use categories; and

WHEREAS, in exercise of said authority, the Board of County Commissioners of the County of Manatee has determined it necessary and desirable to adopt this Ordinance to effect the said amendment of the comprehensive plan to preserve and enhance present advantages, encourage the most appropriate use of land, water and resources, consistent with the public interest, overcome present deficiencies and deal effectively with future problems that may result from the use and development of land within Manatee County; and

WHEREAS, all applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to the Act, and the Plan Format and Administration Section of the Manatee County Comprehensive Plan; and

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County that:

Section 1. Purpose and Intent: This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out, in the Act and Chapter 125, Florida Statutes, as amended.

Section 2. Findings: The recitals set forth above are true and correct and are hereby adopted as findings by the Board for the adoption of this Ordinance. Based upon the findings made relative to this proposed map amendment to the Comprehensive Plan, it has been determined that the existing Future Land Use Map designation for the property subject to the amendment is no longer appropriate and should be amended as described in Section 3 below.

Section 3. Map Amendment: The Manatee County Comprehensive Plan, Ordinance 89-01, is hereby amended to change the Future Land Use Classification of the property, described on Attachment "A" hereto, which is incorporated herein by reference, from RES-6 (Residential – 6 dwelling units per acre) to MU (Mixed Use). Such change shall be incorporated into the Future Land Use Map established and adopted as part of the County's Comprehensive Plan pursuant to Ordinance 89-01, as amended.

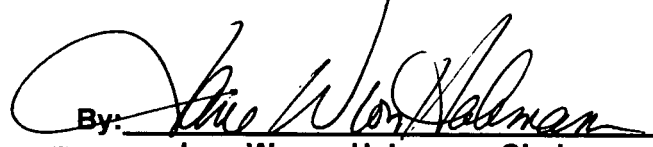
Section 4. Severability: If any part, section, subsection, or other portion of this Ordinance, or any application thereof to any person or circumstance is declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application 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.

Section 5. Pursuant to Sec. 125.68(1) Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 6. Effective Date: The effective date of this small scale development plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged within 31 days after adoption, the effective date of this amendment shall be the date a final order is issued by the Department of Community Affairs, or the Administration Commission, finding the amendment in compliance with the Act.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting this 3RD day of April, 2008

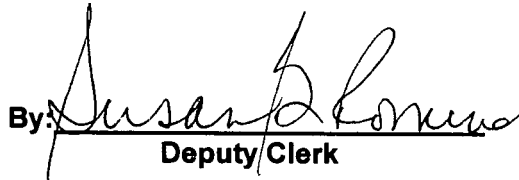
**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: 

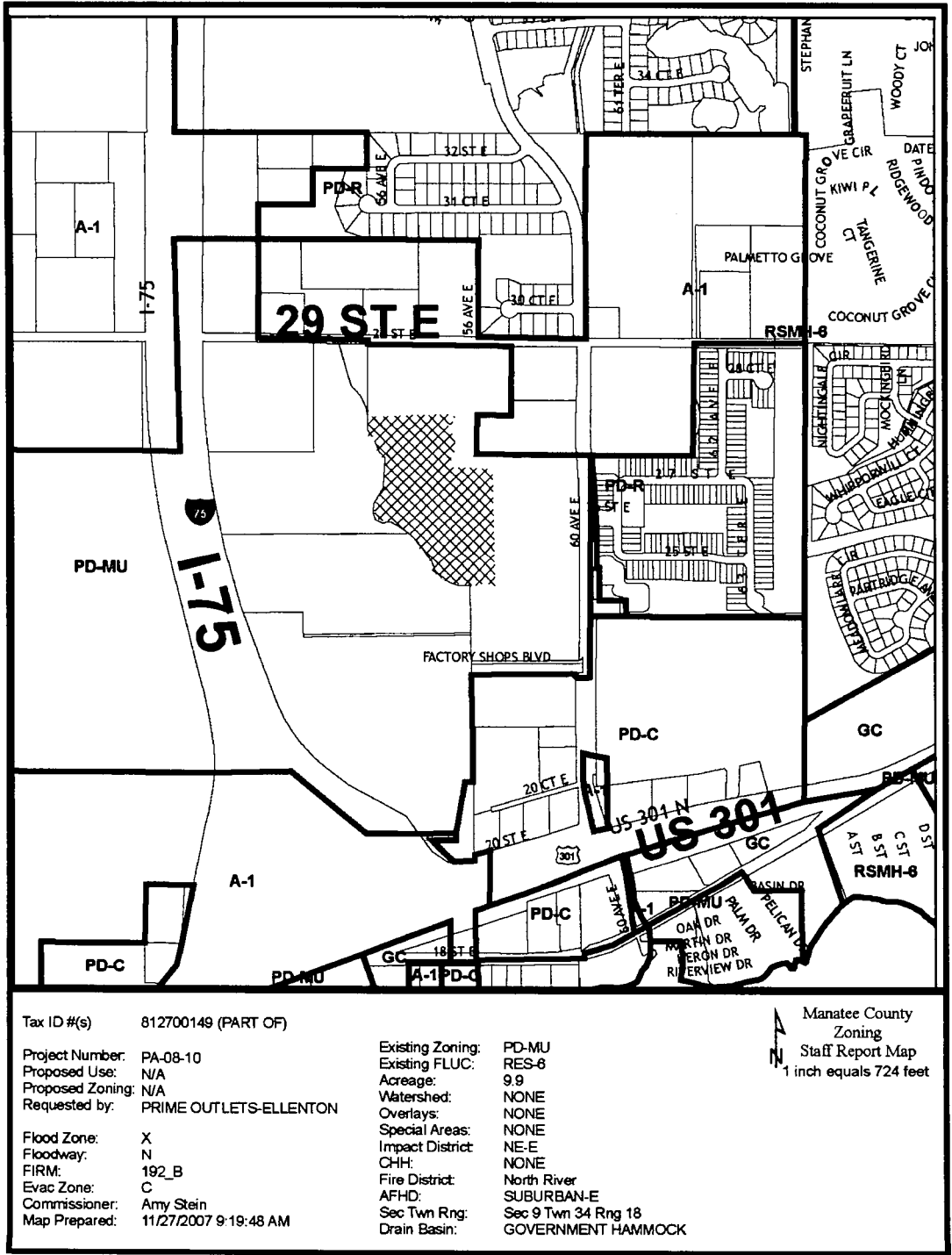
Jane W. von Hahmann, Chairman



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

By: 
Deputy Clerk

ATTACHMENT "A"



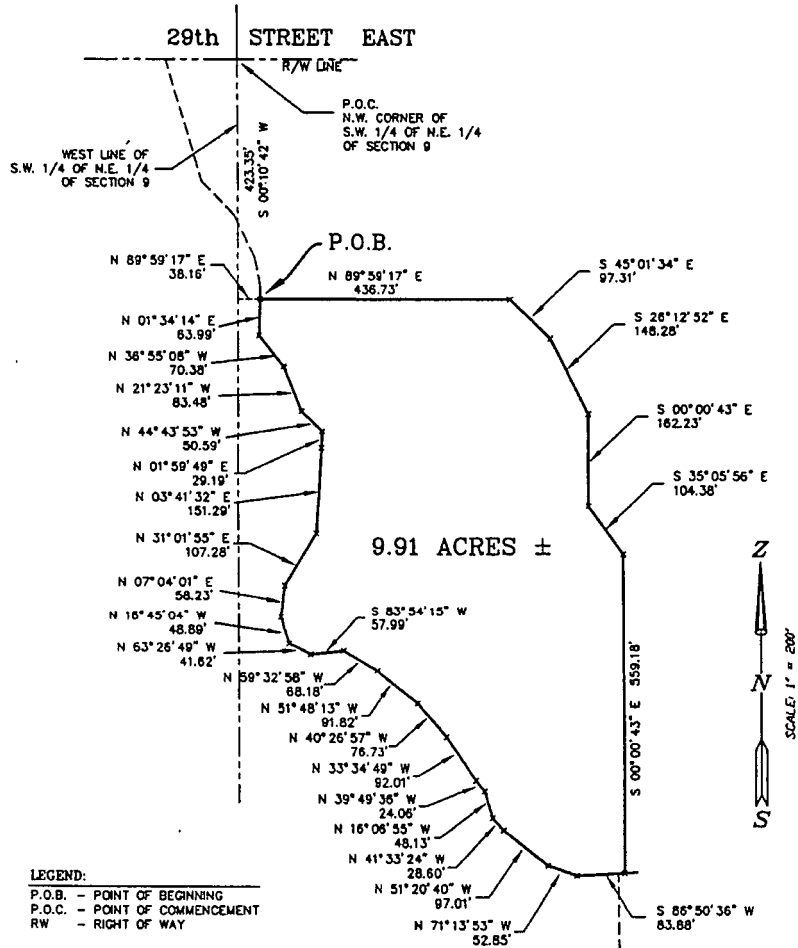
Tax ID #(s) 812700149 (PART OF)
 Project Number: PA-08-10
 Proposed Use: N/A
 Proposed Zoning: N/A
 Requested by: PRIME OUTLETS-ELLENTON
 Flood Zone: X
 Floodway: N
 FIRM: 192_B
 Evac Zone: C
 Commissioner: Amy Stein
 Map Prepared: 11/27/2007 9:19:48 AM

Existing Zoning: PD-MU
 Existing FLUC: RES-6
 Acreage: 9.9
 Watershed: NONE
 Overlays: NONE
 Special Areas: NONE
 Impact District: NE-E
 CHH: NONE
 Fire District: North River
 AFHD: SUBURBAN-E
 Sec Twn Rng: Sec 9 Twn 34 Rng 18
 Drain Basin: GOVERNMENT HAMMOCK

Manatee County
 Zoning
 Staff Report Map
 1 inch equals 724 feet

Zoller, Najjar & Shroyer, L.C.
 Engineers, Planners, Surveyors
 Landscape Architects & Environmental Consultants

CERTIFICATE OF AUTHORIZATION # LBI
 201 5th AVENUE DRIVE E
 POST OFFICE BOX 1
 BRADENTON, FLORIDA 3
 (941) 748-1
 FAX (941) 748--



SEE SHEET 2 FOR DESCRIPTION
 NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH
 PROPOSED
 MIXED USE PARCEL
 IN
 SECTION 9, TOWNSHIP 34 SOUTH, RANGE 18 EAST
 MANATEE COUNTY, FLORIDA

11/09/05
 © COPYRIGHT 2005 BY ZOLLER, NAJJAR AND SHROYER, L.C. THIS
 DRAWING IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY,
 UNLESS SIGNED AND SEALED BY A REGISTERED PROFESSIONAL
 ENGINEER OR SURVEYOR REPRESENTING ZOLLER, NAJJAR & SHROYER, L.C.

NOTES:
 1. BEARINGS ARE BASED ON THE WEST LINE OF S.W. 1/4
 OF N.E. 1/4 OF SECTION 9, TOWNSHIP 34 SOUTH, RANGE
 18 EAST, MANATEE COUNTY, FLORIDA, HAVING A BEARIN
 OF S 00°10'42" W.
 2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT
 REPRESENT A BOUNDARY SURVEY, CORNERS HAVE NOT
 BEEN FIELD LOCATED OR SET.



STATE OF FLORIDA, COUNTY OF MANATEE
 This is to certify that the foregoing is a true and
 correct copy of the documents on file in my office.
 Witness my hand and official seal this 14th day of
 April, 2008
 R.B. SHORE
 Clerk of Circuit Court
 By: E. Acexedo, d.c.



FILED FOR RECORD
R. B. SHORE

2008 APR 22 PM 12:46

FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA
KURT S. BROWNING
Secretary of State

April 17, 2008

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Ms. Vicki Jarratt

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated April 14, 2008 and certified copies of Manatee County Ordinance Nos. 08-22, 08-01, PDO-06-082(Z) (P), PDI-07-27 (Z) (P), PDC-07-20 (Z) (P) and 08-35, which were filed in this office on April 16, 2008.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dls.state.fl.us>

COMMUNITY DEVELOPMENT
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ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

From: no-reply@municode.com
Sent: Thursday, May 08, 2008 10:04 AM
To: Quantana Acevedo
Subject: Acknowledgment of material received
This is a computer generated email, please do not reply to this message.

Municipal Code Corporation
P.O. Box 2235
1700 Capital Circle SW. (32310)
Tallahassee, FL 32316-2235
850-576-3171
Fax: 850-575-8852
info@municode.com

Manatee County, FL Code of Ordinances - 1981(10428)

Supplement 72

Recorded: **4/10/2008 4:11:02 PM**

We have received the following material through **Hard Copy/Electronic**.

Document	Adoption
Ordinance No. 8-12	3/25/2008
Ordinance No. 08-22	4/3/2008

[Click here](#) to see the full list of recorded ordinances for the next supplement.

Or point your browsers at: <http://www.municode.com/disposition/dislist.asp?jobid=88152>

If you are sending the ordinances in electronic form and printed form, we assume the electronic version of the ordinances reflects the ordinances as adopted. We do not proofread against the printed version of the ordinance if the printed copy is submitted. Please contact us if you have questions.

- Update the internet version of your Code more often. We can update the Internet quarterly, monthly, even weekly. For additional information email info@municode.com.
- We can post newly enacted ordinances in the online Code after each meeting. E-mail us for more information at info@municode.com.
- Automating your agenda. We can help make the dream a reality. Visit MCCi for more information. <http://www.mccinnovations.com/products/agenda.asp>
- We can provide a solution for Document and Records Management, imaging or scanning services. Contact us for more information at info@mccinnovations.com or visit [MCCi](#).
- Billing got you down? We can provide invoice and statement printing and processing. For more information email us at info@mccadvantage.com.
- Need a better way to manage your Contracts? Visit MCCi's website to learn more about automating your contract management processes. [MCCi](#)
- Ever need to search in several online Codes for a sample ordinance? Try our Multiple Code Searching. For more information email us at info@municode.com.

- We can do more than just codes... Please visit our Company On-line Brochure at: <http://www.municode.com/about/brochure.pdf>