

FILED FOR RECORD  
R. B. SHORE

**ORDINANCE NO. 08-60**

2009 JAN 14 PM 4:08

CLERK  
MANATEE COUNTY

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING, AMENDING MANATEE COUNTY ORDINANCE NO. 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 ELEMENT TO PROVIDE COMMERCIAL LOCATIONAL CRITERIA EXEMPTION IN THE VILLAGE OF PARRISH, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

REC'D DEC 22 PM 2:52

FILED

**WHEREAS**, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and

**WHEREAS**, Sections 163.3161 through 163.3215, Florida Statutes, titled the Local Government Comprehensive Planning and Land Development Regulation Act, (the "Act") empowers and requires the 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 No. 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**, Application PA-08-24 initiated by Manatee County is a request for a text amendment to revise the Future Land Use Element – Commercial Locational Criteria Exemption, and

**WHEREAS**, at a duly noticed public hearing, the Manatee County Planning Commission, as the County's Local Planning Agency, as established by Ordinance 90-01, considered Application PA-08-24 to adopt text amendments to the Comprehensive Plan as provided herein, 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 July 24, 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

CORRECTIVE DOCUMENT

**WHEREAS**, 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 on August 7, 2008, to consider the transmittal of the proposed amendment to the Florida Department of Community Affairs as the State Land Planning Agency in accordance with Sec. 163.3184, F.S.; and

**WHEREAS**, the State Land Planning Agency by letter dated October 17, 2008, transmitted their Objections, Recommendations, and Comments Report on the amendment to the comprehensive plan; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes, on December 4, 2008, the Board of County Commissioners of Manatee County, Florida held another public hearing, with due public notice having been provided, to consider adoption of the proposed amendment to the Comprehensive Plan; and

**WHEREAS**, the Board of County Commissioners further considered all oral and written comments received during the public hearings, including appropriate changes to the technical support document as needed, the recommendations of the Planning Commission, and objections, recommendations, and comments of the State Land Planning Agency; and

**WHEREAS**, the Board of County Commissioners has determined that the amendments to the Comprehensive Plan set forth herein are necessary to implement the requirements of Section 163, Part II, Florida Statutes; and

**WHEREAS**, in exercise of this authority, the Board of County Commissioners of Manatee County has determined it necessary and desirable to adopt this Ordinance to effect the 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**, the Technical Support Document for the Manatee County Comprehensive Plan includes background material and justification for the amendment to the Comprehensive Plan; 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.

**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 Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

CORRECTIVE DOCUMENT

**Section 2. Findings:** The recitals set forth in the whereas clauses above are true and correct and are hereby adopted as findings by the Board for the adoption of this Ordinance.

**Section 3. Text Amendment:** The Manatee County Comprehensive Plan, Ordinance No. 89-01, is hereby amended to adopt the revisions to the Future Land Use Element, as set forth below by underlining additional text and ~~striking through~~ deleted text:

Policy: ~~2.10.2.4~~ Limit the commercial project size subject to commercial locational criteria within the village of Parrish to small commercial uses to ensure that neighborhood commercial development is compatible with adjacent existing and future land uses. More specifically, commercial project size shall be limited to small commercial uses at the intersections of U.S. 301 with Fort Hamer Road, with Rutland Road (CR 675), with Erie Road, and with SR 62.

Policy: 2.10.4.2 Prohibit the consideration of any development order establishing the potential for commercial development, where the proposed project site is inconsistent with commercial locational criteria. Consistency shall be determined through the application of the commercial location review process described in the operative provisions contained in this Element. Permitted exceptions to these requirements are limited to:

- commercial uses located within the Parrish area for properties fronting US 301, from Moccasin Wallow Road to the realigned Ft. Hamer Road. These commercial uses are limited to a building footprint of 5,000 square feet except at nodes.

**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 deemed 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. Effective Date:** This Ordinance shall take effect immediately upon the State Land Planning Agency, as defined in Section 163.3164, Florida Statutes, issuing a final order finding the Ordinance in compliance with Section 163.3184(9), Florida Statutes, or upon the Administration Commission issuing a final order finding the

Ordinance to be in compliance if a petition challenging the finding of compliance by the Department of Community Affairs is filed with the Division of Administrative Hearing in accordance with Section 163.3184(10), Florida Statutes, whichever occurs first.

**PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting this 4<sup>th</sup> day of December, 2008 and as amended on the 16<sup>th</sup> day of December 2008.

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

By: *Gwendolyn Brown*  
Dr. Gwendolyn Y. Brown, Chairman

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

By: *Susan Thomas*  
Deputy Clerk



CORRECTIVE DOCUMENT



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 16<sup>th</sup> day of December, 2008  
R.B. SHORE  
Clerk of Circuit Court  
By: *R. B. Shore* D.C.

FILED FOR RECORD  
R. B. SHORE



2009 JAN 14 PM 4: 09

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

**CHARLIE CRIST**  
Governor

**FLORIDA DEPARTMENT OF STATE**

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

December 30, 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 letters dated December 18, 2008 and certified copies of Manatee County Ordinance Nos. 08-50 and 08-60, which were filed in this office on December 22, 2008.

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

Sincerely,

Liz Cloud  
Program Administrator

LC/jru  
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://dliis.dos.state.fl.us>

COMMUNITY DEVELOPMENT  
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA  
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA  
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE  
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES  
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY  
850.245.6270 • FAX: 850.245.6282

**ORDINANCE NO. 08-60**

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**WHEREAS**, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and

**WHEREAS**, Sections 163.3161 through 163.3215, Florida Statutes, titled the Local Government Comprehensive Planning and Land Development Regulation Act, (the "Act") empowers and requires the 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

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**WHEREAS**, the State Land Planning Agency by letter dated October 17, 2008, transmitted their Objections, Recommendations, and Comments Report on the amendment to the comprehensive plan; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes, on December 4, 2008, the Board of County Commissioners of Manatee County, Florida held another public hearing, with due public notice having been provided, to consider adoption of the proposed amendment to the Comprehensive Plan; and

**WHEREAS**, the Board of County Commissioners further considered all oral and written comments received during the public hearings, including appropriate changes to the technical support document as needed, the recommendations of the Planning Commission, and objections, recommendations, and comments of the State Land Planning Agency; and

**WHEREAS**, the Board of County Commissioners has determined that the amendments to the Comprehensive Plan set forth herein are necessary to implement the requirements of Section 163, Part II, Florida Statutes; and

**WHEREAS**, in exercise of this authority, the Board of County Commissioners of Manatee County has determined it necessary and desirable to adopt this Ordinance to effect the 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**, the Technical Support Document for the Manatee County Comprehensive Plan includes background material and justification for the amendment to the Comprehensive Plan; and

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CORRECTIVE DOCUMENT

**Section 2. Findings:** The recitals set forth in the whereas clauses above are true and correct and are hereby adopted as findings by the Board for the adoption of this Ordinance.

**Section 3. Text Amendment:** The Manatee County Comprehensive Plan, Ordinance No. 89-01, is hereby amended to adopt the revisions to the Future Land Use Element, as set forth below by underlining additional text and ~~striking through~~ deleted text:

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CORRECTIVE DOCUMENT



Ordinance to be in compliance if a petition challenging the finding of compliance by the Department of Community Affairs is filed with the Division of Administrative Hearing in accordance with Section 163.3184(10), Florida Statutes, whichever occurs first.

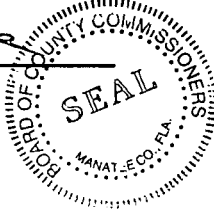
**PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting this 4<sup>th</sup> day of December, 2008 and as amended on the 16<sup>th</sup> day of December 2008.

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

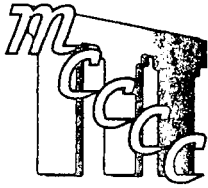
By: *Gwendolyn Brown*  
Dr. Gwendolyn Y. Brown, Chairman

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

By: *Aurora Gomez*  
Deputy Clerk



CORRECTIVE DOCUMENT



**Manatee County**

**Clerk of the Circuit Court and Comptroller**

**R.B. Chips Shore**

P.O. Box 25400 • Bradenton, Florida 34206 • (941) 749-1800 • FAX (941) 741-4082 • [www.manateeclerk.com](http://www.manateeclerk.com)

December 18, 2008

Liz Cloud, Chief  
Bureau of Administrative Code  
R.A. Gray Building, Room 101  
500 S. Bronough Street  
Tallahassee, Florida 32399-0250

Dear Ms. Cloud:

Enclosed are two certified copies of corrective Ordinance **08-60** adopted by the Board of County Commissioners, Manatee County, Florida, in open session on December 16, 2008.

Please stamp both copies with the date filed by the Office of the Secretary of State, retain one copy for your file and return one copy to my office.

Sincerely,

A handwritten signature in black ink that reads "Vicki Jarratt".

R. B. Shore  
By: Vicki Jarratt

RBS/vpj/  
Enclosures (2)  
cc: Board Records

# MEMORANDUM



**Planning**  
Comprehensive Planning  
1112 Manatee Avenue W  
Bradenton, FL 34205

**MANATEE COUNTY**  
FLORIDA

Phone: 941-749-3070  
Fax: 941-708-6157  
[www.mymanatee.org](http://www.mymanatee.org)

**To:** Susan Romine, Board Records, Clerk of the Circuit Court  
**From:** Michael Wood, Comprehensive Planning Administrator  
**Date:** December 12, 2008  
**Subject:** Ordinance 08-60

**RECEIVED**

**DEC 12 2008**

**BOARD RECORDS**

Attached is a corrective document for Ordinance No. 08-60, approved by the Board of County Commissioners on December 4, 2008. Please arrange to have this placed on the December 16, 2008 Board of County Commissioners agenda for approval.

There were typographical errors in the Ordinance submitted for signature.

Thank you for your assistance.

MW/br  
Attachment

cc: Carol B. Clarke, Director  
Case File

2008 DEC 23 AM 10:42

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

**ORDINANCE NO. 08-60**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING, AMENDING MANATEE COUNTY ORDINANCE NO. 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 ELEMENT TO PROVIDE COMMERCIAL LOCATIONAL CRITERIA EXEMPTION IN THE VILLAGE OF PARRISH, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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FILED  
DEC 15 2008  
CLERK OF THE CIRCUIT COURT  
MANATEE COUNTY, FLORIDA

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Ordinance to be in compliance if a petition challenging the finding of compliance by the Department of Community Affairs is filed with the Division of Administrative Hearing in accordance with Section 163.3184(10), Florida Statutes, whichever occurs first.

**PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting this 4<sup>th</sup> day of December, 2008.

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

By: *Dr. Gwendolyn Y. Brown*  
Dr. Gwendolyn Y. Brown, Chairman

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

By: *Susan Romani*  
Deputy Clerk



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 10<sup>th</sup> day of

December, 2008

R. B. SHORE  
Clerk of Circuit Court

By: *Debra Jensen* D.C.



FILED FOR RECORD  
R. B. SHORE

2008 DEC 23 AM 10:42

**FLORIDA DEPARTMENT of STATE**

CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

December 16, 2008

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

Attention: Ms. Vicki Tessmer, D.C.

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 10, 2008 and certified copies of Manatee County Ordinance Nos. 08-27; 08-30; 08-52; 08-60, 08-81, PDR-05-67(Z) (P), PDR-06-73(Z) (P), PDR-08-13(Z) (P), Z-08-02, PDEZ-08-19(Z) (G) (R), PDEZ-08-20(Z) (G), PDEZ-08-21(Z) (G) (R), PDEZ-08-22(Z) (G) (R), PDPI-06-43(Z) (P), , which were filed in this office on December 15, 2008.

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

Sincerely,

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://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT  
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RECORDS MANAGEMENT SERVICES  
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY  
850.245.6270 • FAX: 850.245.6282



**From:** ords@municode.com  
**Sent:** Thursday, January 15, 2009 9:21 AM  
**To:** Vicki Tessmer  
**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](mailto:info@municode.com)

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

**Supplement 75**

Recorded: **1/8/2009 10:54:41 AM**

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

Document	Adoption
Ordinance No. 08-07	12/4/2008
Ordinance No. 08-27	12/4/2008
Ordinance No. 08-30	12/4/2008
Ordinance No. 08-50	12/4/2008
Ordinance No. 08-51	12/4/2008
Ordinance No. 08-52	12/4/2008
Ordinance No. 08-60	12/4/2008
Ordinance No. 08-69	12/4/2008
Ordinance No. 08-81	12/4/2008
Ordinance No. 08-82	12/16/2008

\*\*\*[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=103644>

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.

- You can also "GO GREEN" and reduce the number of supplement copies you receive or just get a PDF of the supplement to print your own copies. ask us how - email [info@municode.com](mailto:info@municode.com).
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