

**ORDINANCE NO. 20-04/PA-19-03 COASTAL HIGH HAZARD AREA (CHHA)  
OVERLAY DISTRICT MAP AMENDMENT / DEO20-01ESR**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING, AMENDING MANATEE COUNTY ORDINANCE NO. 89-01, AS AMENDED, (THE MANATEE COUNTY COMPREHENSIVE PLAN); PROVIDING FOR PURPOSE AND INTENT; PROVIDING FINDINGS; PROVIDING FOR A MAP AMENDMENT OF THE MANATEE COUNTY COMPREHENSIVE PLAN; TO UPDATE THE BOUNDARIES OF THE COASTAL HIGH HAZARD AREA (CHHA) ON THE MAPS LOCATED IN THE FUTURE LAND USE MAP SERIES AND THE COASTAL ELEMENT; TO PRESERVE CONSISTENCY WITH THE STATEWIDE REGIONAL EVACUATION STUDY FOR TAMPA BAY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**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**, The Community Planning Act (the "Act") is codified in the applicable portions of Chapter 163, Part II, Florida Statutes (2019) as amended, empowers and requires the County (a) to plan for the county's future development and growth, and (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county; 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-19-03 has been initiated by the County to amend the Comprehensive Plan, to update the boundaries of the Coastal High Hazard Area (CHHA) on the maps located in the Future Land Use Map Series and the Coastal Element of the Comprehensive Plan; and,

**WHEREAS**, on January 16, 2020, at a duly noticed public hearing, the Manatee County Planning Commission, as the County's Local Planning Agency for purposes of the Act, considered Application PA-19-03; and passed a motion to recommend transmittal of Plan Amendment 19-03 to the Board of County Commissioners; and,

**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 February 6, 2020 to consider Plan Amendment 19-03 and the transmittal of the proposed amendment to the State Land Planning Agency in accordance with the Act; and,

**WHEREAS**, the State Land Planning Agency by letter dated March 17, 2020 identified no comments related to important State resources and facilities within the Department of Economic Opportunity's (DEO) authorized scope of review that would be adversely impacted by Plan Amendment 19-03, if adopted; and,

**WHEREAS**, the Florida Department of Transportation by letter dated March 11, 2020

determined the proposed Amendment PA-19-03 has no review comments regarding adverse impacts to Transportation resources or facilities and offered a technical comment; and,

**WHEREAS**, the staff of the Tampa Bay Regional Planning Council, by a report dated March 9, 2020 provided no comments or technical assistance comments; and,

**WHEREAS**, the Florida Department of Environmental Protection, by correspondence dated March 20, 2020, transmitted its review comments for Plan Amendment PA-19-03 and determined no provision in the Plan Amendment, if adopted, would adversely impact important State resources, specifically air and water pollution, wetlands and other surface waters of the State, federal and State owned lands and interests in lands including state parks, greenways and trails, conservation easements, solid waste, and water and wastewater treatment; and,

**WHEREAS**, the Florida Fish and Wildlife Conservation Commission (FWC) by correspondence dated March 3, 2020, had no comments, recommendations or objections related to listed species and their habitat or other fish and wildlife resources as it relates to Plan Amendment PA-19-03; and

**WHEREAS**, the Southwest Florida Water Management Districts by a letter dated March 13, 2020, had no comments for consideration because the proposed amendment does not appear to result in any adverse regional water related impacts; and

**WHEREAS**, the Florida Department of Agriculture and Consumer Services by a letter dated March 13, 2020, had no comments to the proposed amendment in regard to potential adverse impacts to important state resources or facilities related to agriculture, aquacultural, or forestry resources; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes (2019), the Board of County Commissioners held adoption public hearings, on April 2, May 7 and May 12, 2020 with due public notice having been provided, to consider said proposed amendment to the Comprehensive Plan; and,

**WHEREAS**, the Board of County Commissioners further considered all oral and written comments received during said public hearings, the recommendations of the Planning Commission, and the comments of the State Land Planning Agency and all applicable State or local review agencies; and,

**WHEREAS**, in exercise of said authority, the Board of County Commissioners has determined that the adoption of Plan Amendment PA-19-03 would be in the public interest; and,

**WHEREAS**, the Board of County Commissioners, based upon the foregoing findings, has determined that the requirements for amending the Comprehensive Plan in Section C.2.3.3, Introduction of the Comprehensive Plan have been satisfied; and,

**WHEREAS**, all applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to Chapter 163, Part II, Florida Statutes (2019), 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 the Act, and Chapter 125, Florida Statutes, as amended.

**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. Map Amendment:** The Manatee County Comprehensive Plan, Chapter entitled “Future Land Use” is hereby amended with a new Map E of the Future Land Use Maps Series, and the Chapter entitled “Coastal Element” is hereby amended with a new Coastal High Hazard Area map, as described in Exhibit “A” is amended to reflect the new Coastal High Hazard (CHHA) Overlay District, attached hereto and made a part hereof by reference.

**Section 7. Severability:** If any section, sentence, clause or other provision of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this Ordinance.

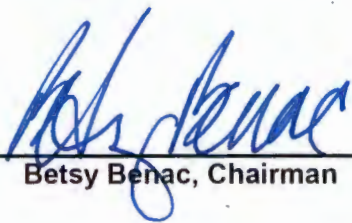
**Section 8. Codification:** The publisher of the County's Comprehensive Plan, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this Ordinance into the Comprehensive Plan.

**Section 9. Effective Date:** The effective date of this Plan Amendment PA-19-03, if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies Manatee County that the adopted plan amendment package for Plan Amendment PA-19-03 is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted Amendment PA-19-03 to be in compliance. No development orders, development permits, or land uses dependent on this Plan Amendment PA-19-03 may be issued or commenced before it has become effective.

**PASSED AND DULY ADOPTED** with a quorum present and voting this 12<sup>th</sup> day of May 2020.



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

By:   
Betsy Benac, Chairman

**ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

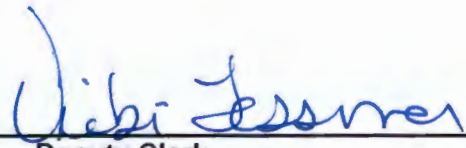
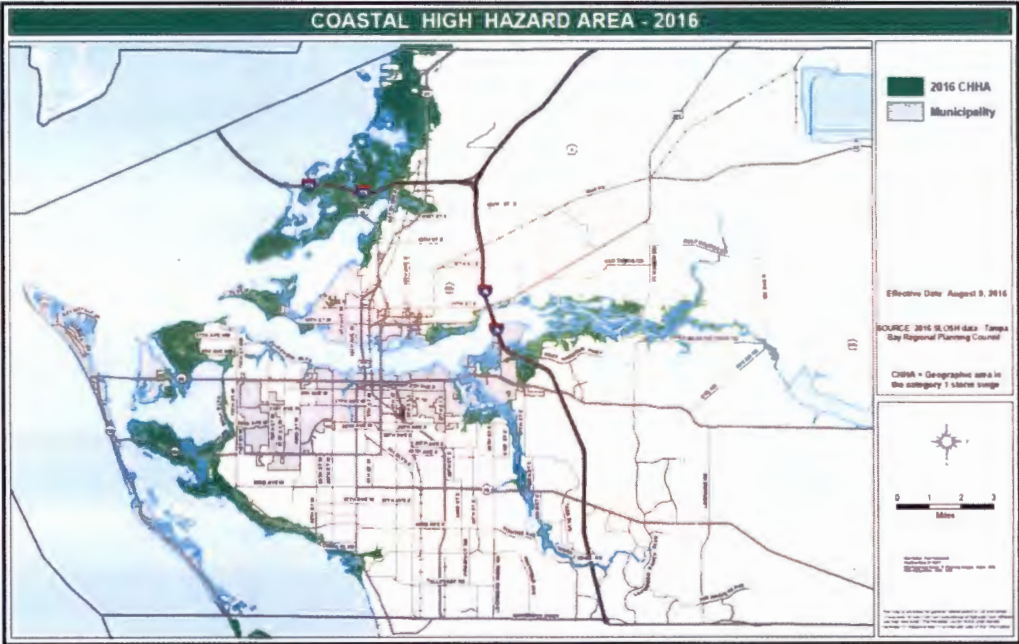
By:   
Deputy Clerk

Exhibit "A" Map Amendment  
Element 2 – Future Land Use Map Series (Map E)  
Element 4 – Coastal Element





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

May 13, 2020

Honorable Angelina Coloneso  
Clerk of the Circuit Court  
Manatee County  
Post Office Box 25400  
Bradenton, Florida 34206

Attention: Vicki Tessmer

Dear Ms. Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your corrected electronic copy of Manatee County Ordinance 20-04, which was filed in this office on May 13, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

**From:** [ords@municode.com](mailto:ords@municode.com)  
**To:** [Vicki Tessmer](mailto:Vicki.Tessmer); [lisa.barrett@mymanatee.org](mailto:lisa.barrett@mymanatee.org)  
**Subject:** Manatee County, FL Comprehensive Plan - 2017(15530) Supplement 6  
**Date:** Thursday, May 21, 2020 3:15:36 PM

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\*\*\*\*\*THIS IS AN AUTOMATICALLY GENERATED EMAIL\*\*\*\*\*

Below, you will find the material that we have received/recorded to your account. This material is being considered for inclusion in your next/current update, Supplement 6

Document	Adopted Date	Recorded	Recorded Format
<a href="#">Ordinance No. 20-04</a>	5/12/2020	5/21/2020	Word



Update the internet version of your Code more often than a printed supplement. We can update the Internet quarterly, monthly, even weekly.



We can post newly enacted ordinances in the online Code after each meeting.