

MANATEE COUNTY ZONING ORDINANCE  
PDPI-02-06(Z)(P) - FLORIDA POWER & LIGHT PARRISH FACILITY

FILED FOR RECORD  
R. B. SHORE

2002 AUG 14 AM 9:24

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO. 90-01 (THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A (GENERAL AGRICULTURE, 1 DWELLING UNIT PER 5 ACRES) TO PDPI (PLANNED DEVELOPMENT PUBLIC INTEREST); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW AN 1,100 MEGAWATT GAS-FIRED COMBINED-CYCLE POWER PLANT AND GRANTING SPECIAL APPROVAL FOR A PROJECT ADJACENT TO A PERENNIAL STREAM.

2002 AUG -9 AM 10:03

FILED

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT. The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said County, as well as all other matters presented to said Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 4 of this Ordinance from A (General Agriculture, 1 dwelling unit per 5 acres) to PDPI (Planned Development Public Interest).

B. The Board of County Commissioners held a public hearing on July 30, 2002 regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code, and has further considered the information received at said public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan.

Section 2. The Preliminary Site Plan is hereby APPROVED to allow an 1,100 megawatt gas-fired combined-cycle power plant, and GRANTING Special Approval for a project adjacent to a perennial stream, with the following stipulations:

STIPULATIONS

1. All nuisance exotic species, as defined in Section 714.2.2.7, shall be removed from the new power plant site prior to Certificate of Occupancy.
2. The applicant shall maintain all operational sound levels of the plant in compliance with Section 2-21-34 of the Manatee County Code of Laws, as amended, and Section 723 of the Land Development Code. Any recurring exceedences shall be immediately addressed by the applicant and mitigated.

3. The applicant shall meet all county, as provided for in Section 723.3.6, state, and federal requirements regarding humidity, heat, vibration, and cold as generated by the cooling water.
4. Only domestic uses of potable water may be served by the Manatee County Potable Water System, if and when such water becomes available. Cooling water for the facility shall be served by reclaimed water sources or by sources approved by the water management district to serve this use.
5. The applicant shall develop pre and post disaster hurricane mitigation plans to be reviewed and approved by the Public Safety Department concurrent with Final Site Plan review.
6. All natural gas pipelines to and throughout the property shall be clearly shown as such on the site plan, and must be buried at the appropriate depth and marked in accordance with applicable State and Federal Regulations.
7. For the first 2 years after beginning operations the applicant shall perform a semi-annual noise study to assure the plant meets the County Noise Ordinance, and this report shall be furnished to the case planner.
8. No onsite construction activities for the Manatee Unit 3 project which require an FEP air construction permit shall commence prior to issuance of that final permit. Upon submittal to the Department of Environmental Protection, the Title V Source Air Permit application shall also be submitted to the EMD for review.
9. Drawings, details, or notes for Sedimentation and Erosion Control should be submitted to the EMD for review and approval, prior to Final Site Plan approval.
10. The existing potable well shall be clearly marked and protected during all construction activities.
11. No permits for open burning will be issued until Final Site Plans/Construction Plans are approved.
12. The existing forested area south of the proposed plant facility shall be preserved. Should this area be cleared, in conjunction with a revised landscape plan, all the screening standards in Section 715 shall be met. Also, existing trees may be used to serve as the roadway buffer on SR 62 if they fall within that 10 ft wide area on site. If any of these trees are removed, they shall be replaced per Code. Any existing trees to be counted in this manner must be shown on the Final Site Plan.
13. The applicant shall upgrade the existing employee/visitor parking lot to meet current Code standards for landscaping and irrigation. Landscape and irrigation plans detailing this upgrade shall be submitted with the Final Site Plan.
14. The maximum height for any new structure on site shall be one hundred and fifty (150) feet.
15. The power plant facility shall be limited to the combined cycle type.

16. Operation of the plant shall not exceed the proposed maximum annual emissions shown on Table 3.4-1 of the application document and attached to this ordinance.
17. The applicant shall notify the Board of County Commissioners of any application for permit modification of its air or consumptive use permits.
18. Florida Power & Light shall submit an annual report by April 15 to Manatee County reporting on the Economic Dispatch History of the past year of Manatee Unit 3, other similar combined cycle units operated by Florida Power & Light, and Florida Power & Light's existing Manatee Units 1 and 2.

Upon request of the Board of County Commission Florida Power & Light shall make a presentation to the Board of County Commissioners on it's annual report. The report shall also include an Annual Emissions Comparison demonstrating what would have occurred without Unit 3 generating, assuming Manatee Units 1 and 2 supplied the same megawatt hours.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from A (General Agriculture, 1 dwelling unit per 5 acres) to PDPI (Planned Development Public Interest), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

A TRACT OR PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 33, SOUTH, RANGE 20 EAST, MANATEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 33 SOUTH, RANGE 20 EAST, RUN N 00° 15' 19" E ALONG THE WEST LINE OF THE SAID SECTION 18, A DISTANCE OF 2698.91 FEET; THENCE RUN N 90° 00' 00" E FOR 166.88 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE N 90° 00' 00" E FOR 550.00 FEET; THENCE RUN S 00° 00' 00" E FOR 305.00 FEET; THENCE RUN N 90° 00' 00" E FOR 700.00 FEET; THENCE RUN N 00° 00' 00" W FOR 95.00 FEET; THENCE RUN N 00° 00' 00" E FOR 810.00 FEET; THENCE RUN S 00° 00' 00" E FOR 315.00 FEET; THENCE RUN S 90° 00' 00" W FOR 495.00 FEET; THENCE RUN S 45° 00' 00" W FOR 77.78 FEET; THENCE RUN S 00° 00' 00" E FOR 750.00 FEET; THENCE RUN N 90° 00' 00" E FOR 1,121.00 FEET; THENCE RUN S 00° 00' 00" E FOR 65 FEET; THENCE RUN S 90° 00' 00" W FOR 673.00 FEET; THENCE RUN S 00° 27' 39" W FOR 96.19 FEET; THENCE RUN S 89° 59' 17" W FOR 359.74 FEET; THENCE RUN S 00° 04' 27" E FOR 355.12 FEET; THENCE RUN N 89° 43' 54" E FOR 722.06 FEET; THENCE RUN S 00° 00' 00" E FOR 37.00 FEET; THENCE S 90° 00' 00" W FOR 705.00 FEET; THENCE RUN S 00° 00' 00" E FOR 525.00 FEET; THENCE RUN S 90° 00' 00" W FOR 345.00 FEET; THENCE RUN S 00° 00' 00" E FOR 30.00 FEET; THENCE RUN N 88° 32' 59" W FOR 395.13 FEET; THENCE RUN N 00° 00' 00" W FOR 315.00 FEET; THENCE RUN S 90° 00' 00" W FOR 200.00 FEET; THENCE RUN N 19° 58' 59" W FOR 292.52 FEET; THENCE RUN S 90° 00' 00" FOR 295.00 FEET; THENCE RUN N 00° 00' 00" W FOR 150.00 FEET; THENCE RUN N 17° 51' 36"

W FOR 472.78 FEET; THENCE RUN N 00° 00' 00" W FOR 330.00 FEET; THENCE RUN N 90° 00' 00" W FOR 135.00 FEET; THENCE RUN N 00° 00' 00" W FOR 905.00 FEET TO THE POINT OF BEGINNING. CONTAINING 72.75 FEET.

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 30<sup>th</sup> day of July, 2002.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: *Greg Stein*

Chairman

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

*B. J. Susan Romine* *dc*



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 2<sup>th</sup> day of August, 2002

R.B. SHORE  
Clerk of Circuit Court

By: *[Signature]* *D.C.*

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary  
Office of International Relations  
Division of Elections  
Division of Corporations  
Division of Cultural Affairs  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing  
Division of Administrative Services



FLORIDA DEPARTMENT OF STATE  
**Jim Smith**  
Secretary of State  
DIVISION OF ELECTIONS

MEMBER OF THE FLORIDA CABINET

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Trustees of the Internal Improvement Trust Fund  
Administration Commission  
Florida Land and Water Adjudicatory Commission  
Siting Board  
Division of Bond Finance  
Department of Revenue  
Department of Law Enforcement  
Department of Highway Safety and Motor Vehicles  
Department of Veterans' Affairs

August 12, 2002

Honorable R. B. Shore  
Clerk of the Circuit Court and Comptroller  
Manatee County  
Post Office Box 1000  
Bradenton, Florida 34206

Attention: Diane E. Vollmer

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated August 7, 2002 and certified copies of Manatee County Ordinance Nos. 02-026 and PDPI-02-06(Z)(P), which were filed in this office on August 9, 2002.

As requested, the original date stamped copies are being returned for your records.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

Enclosure

FILED FOR RECORD  
R. B. SHORE  
2002 AUG 14 AM 9:24  
CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA