

Manatee County Zoning Ordinance

Z-23-10 – CON (CONSERVATION) ZONING DISTRICT REZONE
MANATEE COUNTY (OWNER)
PLN2303-0127

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, AS AMENDED, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 6,898.58 ACRES FROM A (GENERAL AGRICULTURE), A-1 (AGRICULTURAL SUBURBAN), RSF-4.5 (RESIDENTIAL SINGLE FAMILY), RSF-6 (RESIDENTIAL SINGLE FAMILY), RDD-4.5 (RESIDENTIAL DUPLEX), RDD-6 (RESIDENTIAL DUPLEX) AND EX (EXTRACTION) TO THE CON (CONSERVATION) ZONING DISTRICT; THE AREA SUBJECT TO REZONE IS LOCATED ON MULTIPLE PROPERTIES THROUGHOUT THE COUNTY (MANATEE COUNTY); SETTING FORTH FINDINGS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Manatee County (the "Applicant") filed an application to rezone approximately 6,898.58 acres described in Exhibit "A", attached hereto, (the "Property") from A (General Agriculture), A-1 (Agricultural Suburban), RSF-4.5 (Residential Single Family), RSF-6 (Residential Single Family), RDD-4.5 (Residential Duplex), RDD-6 (Residential Duplex) and EX (Extraction) to the CON (Conservation) zoning district; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on July 13, 2023, to consider the rezone application and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the rezone consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the application.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA;

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners. The Board of County Commissioners of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of the County, as well as all other matters presented to the 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 Exhibit "A" of this Ordinance from A (General Agriculture), A-1 (Agricultural Suburban), RSF-4.5 (Residential Single Family), RSF-6 (Residential Single Family), RDD-4.5 (Residential Duplex), RDD-6 (Residential Duplex) and EX (Extraction) to the CON (Conservation) zoning district.

B. The Board of County Commissioners, after due public notice, held public hearings on September 7, 2023, and September 28, 2023, regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at the public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

Section 2. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 15-17, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property described in Exhibit "A", incorporated by reference herein, from A (General Agriculture), A-1 (Agricultural Suburban), RSF-4.5 (Residential Single Family), RSF-6 (Residential Single Family), RDD-4.5 (Residential Duplex), RDD-6 (Residential Duplex) and EX (Extraction) to the CON (Conservation) zoning district, and the Clerk of the Circuit Court, as clerk to the Board of County Commissioners, as well as the Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

Section 3. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 4. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 5. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approval or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 6. 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 28th day of September 2023.



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

BY: 
Kevin Van Ostenbridge, Chairman

**ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court**

BY: 
Deputy Clerk

Exhibit "A"
Parcel List

#	PARCEL ID	USE	ZONING (EXISTING)	OWNER	ACRES (+/-)
1	518300009	Rye Preserve	A-1	Manatee County	0.02
2	520700006	Rye Preserve	A-1	Manatee County	0.54
3	518600002	Rye Preserve	A-1	Manatee County	0.55
4	517700001	Rye Preserve	A-1	Manatee County	0.60
5	514500008	Rye Preserve	A-1	Manatee County	0.63
6	517300000	Rye Preserve	A-1	Manatee County	0.87
7	267200004	Edward W. Chance Reserve	A	Manatee County	0.88
8	514700004	Rye Preserve	A-1	Manatee County	1.00
9	557800257	Rye Preserve	A-1	Manatee County	1.00
10	557800208	Rye Preserve	A-1	Manatee County	1.00
11	557800307	Rye Preserve	A-1	Manatee County	1.01
12	557800158	Rye Preserve	A-1	Manatee County	1.02
13	1893200053	Walker-Crews Preserve	RSF-4.5 & RSF-6	Manatee County	1.07
14	269200002	Edward W. Chance Reserve	A	Manatee County	1.15
15	306300005	Lake Manatee Reservoir	A	Manatee County	1.16
16	557800356	Rye Preserve	A-1	Manatee County	1.46
17	275300002	Reservoir Buffer Area	A & CON	Manatee County	1.52
18	516700002	Rye Preserve	A-1	Manatee County	1.55
19	266500008	Edward W. Chance Reserve	A	Manatee County	1.72
20	517400008	Rye Preserve	A-1	Manatee County	2.00
21	155800006	Duette Preserve	A	Manatee County	3.00
22	1886900059	Walker-Crews Preserve	RSF-4.5	Manatee County	3.49
23	158000000	Manatee River Watershed	A	Manatee County	3.78
24	516500006	Rye Preserve	A-1	Manatee County	4.24

#	PARCEL ID	USE	ZONING (EXISTING)	OWNER	ACRES (+/-)
25	36400000	Duette Preserve	A	Manatee County	4.30
26	268600004	Edward W. Chance Reserve	A	Manatee County	5.00
27	272200007	Edward W. Chance Reserve	A	Manatee County	5.52
28	121600259	Moody Branch Preserve	A & CON	Manatee County	6.75
29	1709400004	Wetland Preservation Area	A-1	Manatee County	7.95
30	5157000000	Ungarelli Preserve	RSF-4.5, RDD-4.5 & RDD-6	Manatee County	8.08
31	149400109	Duette Preserve	A	Manatee County	8.92
32	147500059	Duette Preserve	A	Manatee County	10.00
33	301700001	Lake Manatee Reservoir	A	Manatee County	10.12
34	559200001	Lake Manatee Reservoir	A & CON	Manatee County	11.50
35	154300115	Duette Preserve	A	Manatee County	13.33
36	273300004	Edward W. Chance Reserve	A	Manatee County	13.34
37	541320008	Devil's Elbow Preserve	A	Manatee County	16.00
38	274300059	Lake Manatee Reservoir	A	Manatee County	18.50
39	1878901009	Conservation Area	A-1	Manatee County	18.95
40	158500009	Manatee River Watershed	A	Manatee County	22.89
41	36100006	Duette Preserve	A	Manatee County	26.70
42	149500001	Duette Preserve	A	Manatee County	30.00
43	154310007	Duette Preserve	A	Manatee County	40.00
44	154315006	Duette Preserve	A	Manatee County	40.00
45	271200008	Edward W. Chance Reserve	A	Manatee County	41.34
46	275700003	Lake Manatee Reservoir	A	Manatee County	55.00
47	2052710359	Conservatory Park	A-1	Manatee County	55.39
48	159400001	Manatee River Watershed	A	Manatee County	60.12
49	39100003	Duette Preserve	A & CON	Manatee County	70.38
50	287900005	Lake Manatee Reservoir	A	Manatee County	87.68

#	PARCEL ID	USE	ZONING (EXISTING)	OWNER	ACRES (+/-)
51	267910008	Edward W. Chance Reserve	A	Manatee County	90.40
52	147511009	Duette Preserve	A	Manatee County	100.00
53	273900001	Edward W. Chance Reserve	A	Manatee County	141.72
54	155600000	Duette Preserve	A	Manatee County	153.00
55	151600004	Duette Preserve	A	Manatee County	160.00
56	292200003	Lake Manatee Reservoir	A	Manatee County	163.46
57	274900039	Lake Manatee Reservoir	A & CON	Manatee County	195.17
58	590201059	Curiosity Creek Preserve	A	Manatee County	199.07
59	276500006	Lake Manatee Reservoir	A	Manatee County	211.23
60	157300109	Duette Preserve	A	Manatee County	232.49
61	149410059	Duette Preserve	A	Manatee County	249.66
62	152020109	Duette Preserve	A	Manatee County	255.36
63	274900019	Lake Manatee Reservoir	A	Manatee County	261.49
64	277100004	Lake Manatee Reservoir	A	Manatee County	275.07
65	153820006	Duette Preserve	A & EX	Manatee County	498.10
66	152020059	Duette Preserve	A	Manatee County	1,391.64
67	43820059	Duette Preserve	CON & EX	Manatee County	1,597.73
TOTAL ACRES:					6,898.58



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 28, 2023

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

Dear Honorable Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. Z-23-10, which was filed in this office on September 28, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh