

Manatee County Zoning Ordinance

Z-23-15 – CON (CONSERVATION) ZONING DISTRICT REZONE
STATE OF FLORIDA (TIIITF (REC & PARKS)) (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 2,565.11 ACRES FROM A (GENERAL AGRICULTURE), A-1 (AGRICULTURAL SUBURBAN), RSF-1 (RESIDENTIAL SINGLE FAMILY), RSF-2 (RESIDENTIAL SINGLE FAMILY), RSF-3 (RESIDENTIAL SINGLE FAMILY), EX (EXTRACTION), PDR (PLANNED DEVELOPMENT RESIDENTIAL) AND PDRV (PLANNED DEVELOPMENT RECREATIONAL VEHICLE) 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 2,565.11 acres described in Exhibit "A", attached hereto, (the "Property") from A (General Agriculture), A-1 (Agricultural Suburban), RSF-1 (Residential Single Family), RSF-2 (Residential Single Family), RSF-3 (Residential Single Family), EX (Extraction), PDR (Planned Development Residential) and PDRV (Planned Development Recreational Vehicle) 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-1 (Residential Single Family), RSF-2 (Residential Single Family), RSF-3 (Residential Single Family), EX (Extraction), PDR (Planned Development Residential) and PDRV (Planned Development Recreational Vehicle) 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-1 (Residential Single Family), RSF-2 (Residential Single Family), RSF-3 (Residential Single Family), EX (Extraction), PDR (Planned Development Residential) and PDRV (Planned Development Recreational Vehicle) 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 COMMISSONERS
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	132210055	South Fork State Park	A	State of Florida	0.20
2	6902500054	Emerson Point Park	RSF-1	State of Florida	0.24
3	2071000559	Terra Ceia Preserve State Park	A-1	State of Florida	0.48
4	7315100003	Pillsbury Mound Preserve	RSF-2	State of Florida	0.95
5	2971400003	Emerson Point Park	RSF-3	State of Florida	1.00
6	7333800006	Robinson Preserve	RSF-1 & CON	State of Florida	1.88
7	2387400050	Emerson Point Park	RSF-1	State of Florida	2.00
8	7599310009	Spoil Islands	A	State of Florida	2.20
9	2069600159	Terra Ceia Preserve State Park	A-1	State of Florida	2.53
10	6902700001	Emerson Point Park	RSF-1	State of Florida	2.75
11	2122700559	Terra Ceia Preserve	A-1	State of Florida	3.15
12	6666300006	Barrier Island / Preservation Area	N/A	State of Florida	4.18
13	6902500005	Emerson Point Park	RSF-1	State of Florida	4.44
14	6902500005	Emerson Point Park	RSF-1	State of Florida	4.44
15	2063000000	Port Manatee Ecological Park	A-1 & CON	State of Florida	5.66
16	7356000005	Robinson Preserve	N/A	State of Florida	8.00
17	255420002	South Fork State Park	A	State of Florida	9.18
18	122400109	South Fork State Park	A	State of Florida	10.01
19	2069800007	Terra Ceia Preserve State Park	A-1	State of Florida	11.00
20	2069200000	Terra Ceia Preserve State Park	A-1	State of Florida	15.40
21	254910003	South Fork State Park	A	State of Florida	19.87
22	2387700004	Emerson Point Park	A-1 & RSF-1	State of Florida	24.00
23	2387700004	Emerson Point Park	A-1 & RSF-1	State of Florida	24.00
24	2387600006	Emerson Point Park	RSF-1	State of Florida	30.80

#	PARCEL ID	USE	ZONING (EXISTING)	OWNER	ACRES (+/-)
25	2070000059	Terra Ceia Preserve State Park	A-1 & PDRV	State of Florida	34.84
26	129900007	South Fork State Park	A	State of Florida	40.00
27	131920001	South Fork State Park	A	State of Florida	79.78
28	2062800004	Port Manatee Ecological Park	A-1 & CON	State of Florida	80.00
29	2401900002	Emerson Point Park	A-1 & RSF-1	State of Florida	82.30
30	62520002	Wingate Creek State Park	A & EX	State of Florida	159.11
31	122500002	South Fork State Park	A	State of Florida	160.00
32	130510059	South Fork State Park	A	State of Florida	168.29
33	2387400001	Emerson Point Park	RSF-1	State of Florida	211.12
34	2122700202	Terra Ceia Preserve	A-1 & PDR	State of Florida	332.27
35	58020009	Wingate Creek State Park	A & EX	State of Florida	387.29
36	254500002	South Fork State Park	A	State of Florida	641.75
TOTAL ACRES:					2,565.11



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-23-15, which was filed in this office on September 28, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh