

ORDINANCE 99-49

DEC 31 2 18 AM '99

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (MAPS 22A AND 22B), FROM: P/SP-(1) [PUBLIC/SEMI-PUBLIC (1)] TO R/O/R (RETAIL/OFFICE/RESIDENTIAL) FUTURE LAND USE CATEGORY FOR CERTAIN LAND; CONSISTING OF APPROXIMATELY 13.61 +/- ACRES; LOCATED WITHIN OUTPARCEL #4, AT THE SARASOTA BRADENTON INTERNATIONAL AIRPORT, AT 8281 THROUGH 8301 NORTH TAMiami TRAIL (U.S. 41), WITHIN SECTION 36 OF TOWNSHIP 35 SOUTH, RANGE 17 EAST; 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, Sections 163.3161 through 163.3215, Florida Statutes, titled "The Local Government Comprehensive Planning and Land Development Regulation Act," empowers and requires the Board of County Commissioners of the County of Manatee (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 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

WHEREAS, Sections 163.3184 and 163.3187, Florida Statutes, titled "Process for Adoption of Comprehensive Plan or Amendment Thereto," and "Amendment of Adopted Comprehensive Plan," respectively, empowers the local government to develop and adopt comprehensive plan amendments; and

WHEREAS, the Manatee County Planning Commission has been established pursuant to Manatee County Ordinance 90-01; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the Board of County Commissioners of the County of Manatee, Florida by Ordinance 90-01 duly designated said Planning Commission as the Local Planning Agency for the unincorporated area of Manatee County; and

WHEREAS, the Manatee County Planning Commission, empowered by the above cited laws and ordinances, considered an amendment to the Manatee County Comprehensive Plan, altering Maps 22a and 22b of the Future Land Use Map in the Future Land Use Element, as referenced in the Title of this ordinance, in order to more adequately address Manatee County's future development and growth; and

FILED  
1999 DEC 31 2 18 AM '99  
CLERK OF CIRCUIT COURT  
MANATEE COUNTY, FLORIDA

WHEREAS, the Owner of the land affected by this comprehensive plan amendment is currently processing a change to a Development of Regional Impact which was determined to be a substantial deviation and has elected to proceed out of a plan amendment cycle pursuant to Section 163.3187(1)(b), Florida Statutes; and

WHEREAS, on October 21, 1999, 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

WHEREAS, after due public notice, on December 15, 1999, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing to consider the amendment and the transmittal of the proposed amendment to the Florida Department of Community Affairs in accordance with Section 163.3184, Florida Statutes; and

WHEREAS, the Board of County Commissioners considered all oral and written comments received during said public hearings, including appropriate changes to the Technical Support Document as needed, the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners has determined that the growth and development provisions initially approved are no longer appropriate because a change in circumstances has been demonstrated by the applicant; and

WHEREAS, the land uses of the proposed plan amendment have been found by the Board of County Commissioners to be more compatible with surrounding land uses in the area than are the current land uses; and found to be consistent with the goals, objectives, and policies of the comprehensive plan and the Technical Support Document for general location of Future Land Use Categories; and

WHEREAS, in exercise of said authority, the Board of County Commissioners of the County of Manatee has determined it necessary and desirable to adopt said 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, this Plan Amendment has been adopted pursuant to the alternative process for amendment of an adopted Comprehensive Plan as provided in Section 163.3189, Florida Statutes.

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 Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings: The whereas clauses set forth above are hereby adopted as findings by the Board for the adoption of this Ordinance. Based upon the findings made relative to this proposed map amendment to the Comprehensive Plan, it has been determined that the existing Future Land Use Map sought to be amended is no longer in the best interest of the public and should be amended as described in Section 3 below.

Section 3. Map Amendment: The Manatee County Comprehensive Plan, Ordinance 89-01, as amended, shall be amended by changing the Future Land Use classification of the property, generally shown on the map as Attachment "A" hereto, from P/SP-(1) Public/Semi-Public-(1) to R/O/R (Retail/Office/Residential).

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 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. The Board declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision or application.

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 in accordance with Section 163.3184(10), Florida Statutes, or whichever occurs first.


PASSED AND DULY ADOPTED, with a quorum present and voting this 15th day of December, 1999.

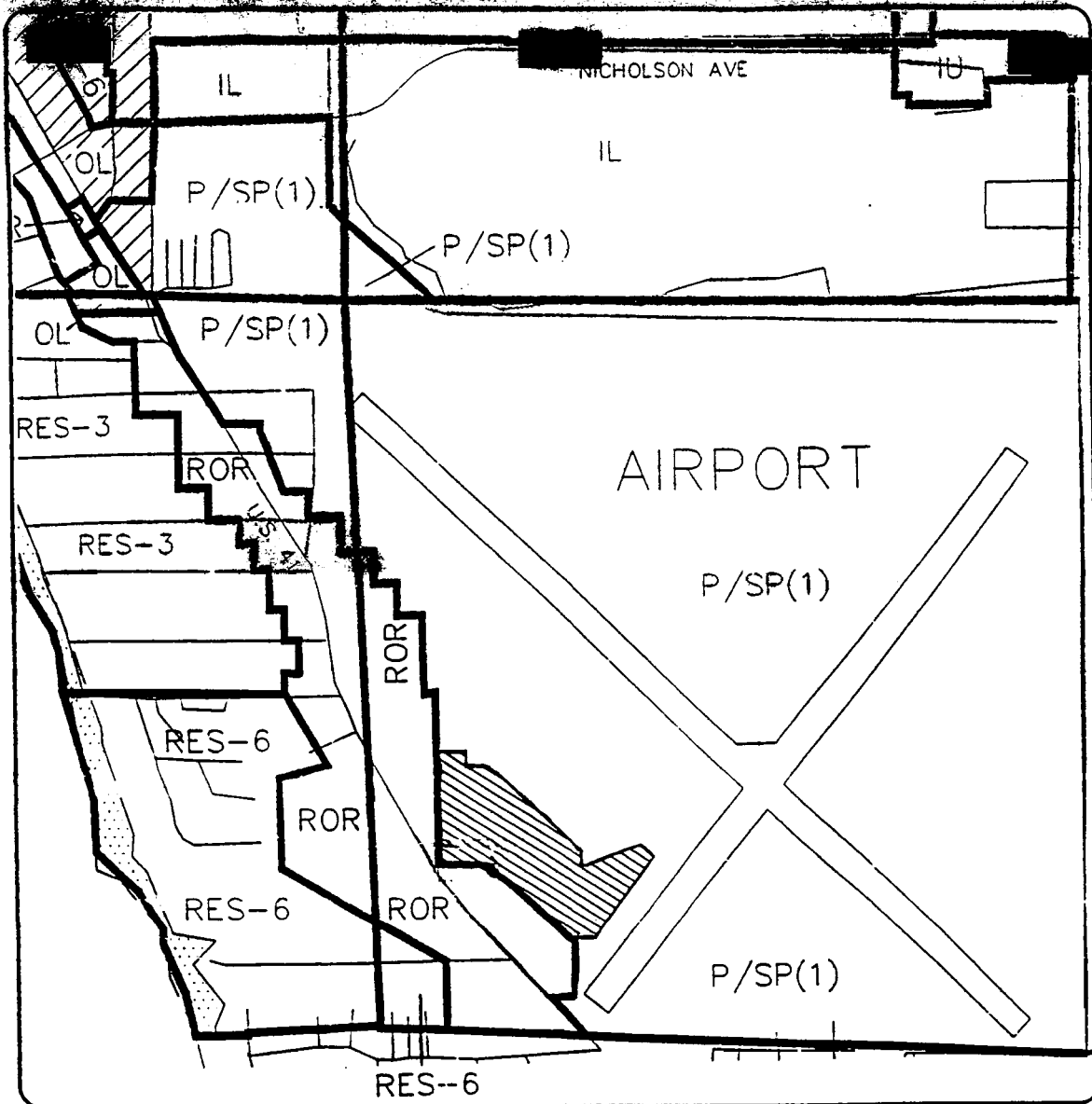
BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

By: Stan Stephens  
Chairman

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

By: [Signature]  
Deputy clerk

The seal of Manatee County, Florida, is circular and features the text "MANATEE COUNTY FLORIDA" around the perimeter. In the center, the word "SEAL" is prominently displayed. The seal is partially obscured by the signature and text of the deputy clerk.



**Future Land Use Map**

Future Land Use Map  
Map No. 22a and 22b



EXISTING CATEGORY  
P/SP(1)  
PROPOSED CATEGORY  
ROR

SECTION- TOWNSHIP-RANGE

36-35-17

CASE NO.

PA-99-19 ORD. 99-49

REQUESTED BY:

SARASOTA MANATEE AIRPORT AUTHORITY

PROPERTY OWNER(S):

SARASOTA MANATEE AIRPORT AUTHORITY

COMMISSIONER:

HARRIS

TAX ID.:

PART OF

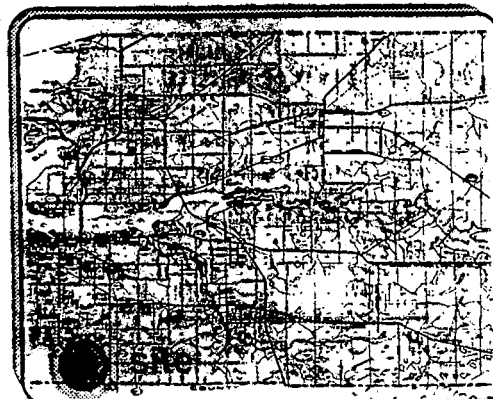
684470505

684471000

ACRES

± 12.61

site  
location  
map



map prepared: 9/20/99

map revised: 00/00/00

ATTACHMENT A

Municipal Code Corporation  
info@mail.municode.com  
PO Box 2235  
Tallahassee, FL 32316-2235

Enclosure 15

01/18/2000

We have received the following material through  
and copy. Thank you for your assistance and  
cooperation.

Finance Nos. 99-49, 99-50, 99-51, 99-58 and  
99-99-14.

800-262-2633 fax 850-575-8852 SAC  
Looking for a customer complaint tracking software  
We offer a comprehensive software called CCAP  
Tired of mailing out Codes and Supplement?  
We can distribute them for you for a minimal fee!  
See over 550 Codes at www.municode.com  
Sheriff or Police Manuals? We can print and bind  
Call our Customer Service Department for costs.



JAN 20 2000

BOARD RECORDS

TO:  
Mr. R.B. "Chips" Shore  
Clerk of Circuit Court  
Manatee County  
P. O. Box 1000  
Bradenton, FL 34206-1000



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 27 day of

December 19 99

R. B. SHORE

Clerk of Circuit Court

By: Jane Rook D.C.

*Copies - Muni Code*

*Barb Tyler - BCC*

*Audit*

*Josanne - Planning*

*1/5/00*

*JML*

*4/12/00 copy to Mausha - City Atty TM*