

**PA-18-04/ORDINANCE 21-18 – PRIVATELY INITIATED LARGE SCALE MAP
AMENDMENT - L3 PARTNERSHIP/ GAMBLE CREEK VILLAGE PLAN
AMENDMENT – DEO#21-06ESR**

A MAP AMENDMENT TO DESIGNATE SPECIFIC REAL PROPERTY (5,040± ACRES) FROM THE AG/R (AGRICULTURAL/RURAL) FUTURE LAND USE CATEGORY TO THE NEWLY CREATED FUTURE LAND USE OVERLAY DISTRICT OF PV (PLANNED VILLAGE) OVERLAY DISTRICT; ALONG WITH AMENDING THE FUTURE LAND USE DESIGNATION OF THE 5,040 ± ACRES TO RES-3 (1,152± ACRES), P/SP-1 (107± ACRES), R/O/R (88± ACRES), MU (1,108± ACRES), IL (212± ACRES) AND AG/OS (2,372± ACRES); SAID PROPERTY BEING LOCATED AT 23551 AND 25155 SR 62 IN PARRISH; PROVIDING FOR SEVERABILITY AND PROVIDING 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 (2021) 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, Ordinance No. 21-17 has been adopted by the Board of County Commissioners on December 16, 2021, to amend the Comprehensive Plan to create the Planned Village Overlay District (PVOD), among other matters; and

WHEREAS, Application PA-18-04 is a privately-initiated Map Amendment to the Comprehensive Plan to designate specific real property (5,040± acres) from the AG/R (Agricultural/Rural) Future Land Use Classification to the Planned Village Overlay District (PVOD); amending the Future Land Use Classification for 5,040 ± acres to RES-3 (1,152± acres), P/SP-1 (107± acres), R/O/R (88± acres), MU (1,108± acres), IL (212± acres) and AG/OS (2,372± acres) (“Map Amendments”), and

WHEREAS, the proposed Map Amendments, are not considered a small-scale plan amendments under Section 163.3187(1)(a) and (1)(c), Florida Statutes, and must therefore be reviewed as a large-scale plan amendment; and

WHEREAS, the State Land Planning Agency by letter dated October 22, 2021

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 18-04, if adopted; and,

WHEREAS, the Florida Department of Transportation by correspondence dated October 22, 2021, determined the Map Amendment PA-18-04 will significantly impact facilities of state importance and requested the Department of Transportation be included as a reviewing agency to evaluate project impacts and mitigation of the state facilities including SR 62, SR 37, and US 301; and,

WHEREAS, the staff of the Tampa Bay Regional Planning Council, by a report regarding Plan Amendment PA-18-04 dated October 22, 2021, provided no comments or technical assistance comments regarding Plan Amendment 18-04; and,

WHEREAS, the Florida Department of Environmental Protection, by correspondence dated October 22, 2021, transmitted its review comments for Plan Amendment PA-18-04 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 October 27, 2021, stated they had no objections to the Map Amendment and had comments and recommendations related to listed species and their habitat or other wildlife resources as it relates to Plan Amendment PA-18-04; and

WHEREAS, the Southwest Florida Water Management Districts by a letter dated October 15, 2021, offered technical assistance comments for consideration as Plan Amendment PA-18-04 involves a substantial increase in development density/intensity as it relates to regional water impacts; and

WHEREAS, at duly noticed public hearings, the Manatee County Planning Commission, as the County's Local Planning Agency, in accordance with the Act and as established in the Land Development Code, considered Application PA-18-04 Map Amendment, as provided herein, and found the Map Amendments consistent with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Comprehensive Plan; and,

WHEREAS, on November 14, 2019, and April 8, 2021, the Manatee County Planning Commission, after due public notice, held a public hearing to consider the Map Amendments, and forwarded its recommendation to the Board of County Commissioners as required by law; 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 transmittal public hearings on December 5, 2019, May 20, 2021, and August 19, 2021, and an adoption public hearing on December 16, 2021, to consider the Map Amendments and adopted the proposed Map Amendments in accordance with the Act; 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 circumstance has been demonstrated by the Applicant; and,

WHEREAS, the Applicant has submitted with its Application information and analysis to address matters raised at the respective public hearings and by the State Agency comments noted above as well as to demonstrate the need for the Map Amendments.

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. Based upon the findings made relative to these Map Amendments to the Comprehensive Plan, and the analysis submitted the Applicant, it has been determined that the Map Amendments can be found to be in the best interest of the public and should be adopted as described in Section 3 below.

Section 3. Map Amendment to the Future Land Use Element: The Manatee County Comprehensive Plan, Ordinance No. 89-01, is hereby amended to designate the property, legally described on Exhibit “A” hereto and generally graphically depicted on Exhibit “B” hereto, both exhibits are incorporated herein by reference, within the Planned Village (PVOD) Overlay District.

The Future Land Use Classifications of the following property are hereby amended from the Agricultural Rural (AG-R) Future Land Use Classification to the RES-3 (1,152± acres), P/SP-1 (107± acres) R/O/R (88± acres), MU (1,108± acres), IL (212± acres) and AG/OS (2,372± acres) Future Land Use Classifications to become effective if and when a Village Master Plan is approved by the Board of County Commissioners pursuant to Policy 2.2.2.10.4.c. Future Land Use Element, Comprehensive Plan; said property is located at 23551 and 25155 SR 62, in Parrish.

The Map Amendments described in this Section shall be incorporated into the Future Land Use Map (Exhibit “B”) established and adopted as part of the County’s

Comprehensive Plan pursuant to Ordinance No. 89-01, as amended.

Section 4. 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 invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 5. State and Federal Permitting. All applicable local, state or federal permits shall be obtained prior to commencement of development. The issuance of a 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 approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of a state or federal law.

Section 6. Infrastructure. In the event Manatee County is requested to provide centralized water and sewer service to future development within the Planned Village Overlay District (PVOD) or the Agricultural /Open Space (AG/OS) Future Land Use Classification, located eastward of the Future Development Area Boundary Line and outside of the Potable Water/Wastewater Service Area, the applicant(s) requesting such utility service shall be required to file a privately initiated amendment to the Comprehensive Plan to amend the boundaries of the FDAB Line and the Potable Water/Wastewater Service Area to include the proposed development within said boundaries.

Section 7. Codification: The publisher of the County's Comprehensive Plan, the Municipal Corporation, is directed to incorporate the amendments in Sections 3 of this Ordinance into the Comprehensive Plan.

Section 8. Effective Date: This effective date of the Map Amendments shall be 31 days after adoption, unless the amendments are challenged pursuant to Section 163.3187(5)(a), F.S. If challenged within 30 days after adoption, the effective date of these Map Amendments shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission respectfully, finding the Map Amendments in compliance with the Act.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting this 16^h day of December 2021.

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

By: _____
Vanessa Baugh, Chairperson

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

By: _____
Deputy Clerk

**Exhibit “A”
Legal Description**

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 33 SOUTH, RANGE 20 EAST; THENCE N89°16'47"W, ALONG THE SOUTH LINE OF SAID SECTION 35, 1389.30 FEET TO A CONCRETE MONUMENT, MARKING THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 255, PAGE 137, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE CONTINUE N89°16'47"W, ALONG THE SOUTH LINE OF SAID SECTION 35, 3933.75 FEET TO A CONCRETE MONUMENT, MARKING THE SOUTHWEST CORNER THEREOF, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SECTION 34; THENCE N88°54'21"W, ALONG THE SOUTH LINE OF SAID SECTION 34, 5332.74 FEET TO A CONCRETE MONUMENT, MARKING THE SOUTHWEST CORNER THEREOF, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SECTION 33; THENCE N88°54'21"W, ALONG THE SOUTH LINE OF SAID SECTION 33, 5312.75 FEET TO A CONCRETE MONUMENT, MARKING THE SOUTHWEST CORNER THEREOF; THENCE N01°07'22"E, ALONG THE WEST LINE OF SAID SECTION 33, 5169.01 FEET TO A CONCRETE MONUMENT, MARKING THE NORTHWEST CORNER THEREOF, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SECTION 29; THENCE N89°17'32"W, ALONG THE SOUTH LINE OF SAID SECTION 29, 5329.99 FEET TO A LIGHTER WOOD POST, MARKING THE SOUTHWEST CORNER THEREOF; THENCE N00°51'39"E, ALONG THE WEST LINE OF SAID SECTION 29, 3919.29 FEET TO A CONCRETE MONUMENT, MARKING THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1003, PAGE 33, OF SAID PUBLIC RECORDS; THENCE S89°05'17"E, ALONG THE SOUTH LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 1003, PAGE 33, PARALLEL TO THE NORTH LINE OF SAID SECTION 29, 990.04 FEET, TO A CONCRETE MONUMENT, MARKING THE SOUTHEAST CORNER OF SAID CERTAIN PARCEL; THENCE N00°51'39"E, ALONG THE EAST LINE OF SAID CERTAIN PARCEL AND THE EAST LINE OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 795, PAGE 413 OF SAID PUBLIC RECORDS, PARALLEL TO THE WEST LINE OF SAID SECTION 29, AND 990.0 FEET EASTERLY THEREFROM, 1510.12 FEET TO A CONCRETE MONUMENT, MARKING THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 29; THENCE N01°28'48"E, ALONG THE EAST LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 795, PAGE 413, PARALLEL TO THE WEST LINE OF SECTION 20, AND 990.0 FEET EASTERLY THEREFROM, 4802.66 FEET TO A CONCRETE MONUMENT, MARKING THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD NO. 62 (SECTION 13060-2501); THENCE N73°46'14"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, 3781.51 FEET TO A CONCRETE MONUMENT, MARKING THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 1849.86 FEET; THENCE EASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 21°37'38", 698.26 FEET TO A CONCRETE MONUMENT, MARKING THE POINT OF

TANGENCY OF SAID CURVE; THENCE S84°36'08"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, 6315.92 FEET TO A CONCRETE MONUMENT, MARKING THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 3759.72 FEET; THENCE SOUTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°17'17", 543.85 FEET TO A CONCRETE MONUMENT, MARKING THE POINT OF TANGENCY OF SAID CURVE; THENCE S76°18'51"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, 7899.75 FEET TO A CONCRETE MONUMENT; THENCE S76°20'21"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, 154.16 FEET TO A CONCRETE MONUMENT, MARKING THE INTERSECTION WITH THE WEST LINE OF SAID CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 255, PAGE 137; THENCE S01°27'12"W, ALONG THE WEST LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 255, PAGE 137, 14,237.96 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTIONS 15, 16, 17, 20, 21, 22, 23, 26, 27, 28, 29, 33, 34 AND 35, TOWNSHIP 33 SOUTH, RANGE 20 EAST, MANATEE COUNTY, FLORIDA.

LESS THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 22, TOWNSHIP 33 SOUTH, RANGE 20.

ALSO LESS LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1396, PAGE 5589 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 33 SOUTH, RANGE 20 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°%d35'01"W, ALONG THE WEST LINE OF SAID SECTION 23, A DISTANCE OF 769.84 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 62 (A 120 FOOT RIGHT-OF-WAY PER SECTION 13060-2501); THENCE S76°18'51"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 62, A DISTANCE OF 2743.73 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S76°18'51"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1310.00 FEET TO A CONCRETE MONUMENT STAMPED PLS 1876; THENCE S76°20'21"E, ALONG SAID SOUTH RIGHT-OF-WAY OF STATE ROAD NUMBER 62, A DISTANCE OF 154.16 FEET TO A CONCRETE MONUMENT STAMPED PLS 1876; THENCE S01°27'12"W, A DISTANCE OF 7286.00 FEET; THENCE N86°47'05"W, A DISTANCE OF 2409.09 FEET; THENCE N01°28'00"E, A DISTANCE 1805.74 FEET; THENCE N88°38'58"W, A DISTANCE OF 503.90 FEET; THENCE N01°36'58"E, A DISTANCE OF 1794.29 FEET; THENCE N17°50'16"E, A DISTANCE OF 247.11 FEET; THENCE N31°08'18"E, A DISTANCE OF 587.82 FEET; THENCE N11°53'10"E, A DISTANCE OF 1202.50 FEET; THENCE N15°55'14"E, A DISTANCE OF 1064.22 FEET; THENCE N34°42'36"E, A DISTANCE OF 1150.57 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTIONS 23 AND 26, TOWNSHIP 33 SOUTH, RANGE 20 EAST, MANATEE COUNTY, FLORIDA.

ALSO LESS:

A PARCEL OF LAND LYING AND BEING IN SECTIONS 26, 27, 34 AND 35, TOWNSHIP 33 SOUTH, RANGE 20 EAST, MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE N89°09'52"W, ALONG THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 1389.30 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 255, PAGE 137, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA FOR A POINT OF BEGINNING; THENCE N01°34'24"E, ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 6952.41 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1396, PAGE 5589, OF SAID PUBLIC RECORDS; THENCE N86°39'44"W, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 2371.09 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF AN EXISTING DRAINAGE DITCH RUNNING SOUTHERLY AND WESTERLY; THENCE MEANDERING SAID CENTERLINE, MORE OR LESS, THE FOLLOWING 9 COURSES AND DISTANCES: (1) S03°33'13"E 1021.71 FEET; (2) S40°39'06"W, 1427.84 FEET; (3) S69°44'29"W, 172.91 FEET; (4) N86°56'52"W, 1171.31 FEET; (5) N47°51'21"W, 285.64 FEET; (6) N54°52'02"W, 363.16 FEET; (7) N61°00'02"W, 215.54 FEET; (8) N86°38'07"W, 918.32 FEET; (9) S84°10'39"W, 933.13 FEET TO THE POINT OF INTERSECTION OF SAID DRAINAGE DITCH AND THE CENTERLINE OF A DRAINAGE DITCH RUNNING SOUTH; THENCE S00°18'20"E, ALONG SAID CENTERLINE AND IT'S SOUTHERLY EXTENSION, A DISTANCE OF 5331.87 FEET TO A POINT ON THE SOUTH LINE OF AFOREMENTIONED SECTION 34; THENCE S88°47'17"E, ALONG SAID SOUTH LINE, A DISTANCE OF 2956.62 FEET TO THE SOUTHWEST CORNER OF AFOREMENTIONED SECTION 35; THENCE S89°09'52"E, ALONG THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 3933.25 FEET TO THE POINT OF BEGINNING.

ALSO LESS:

A TRIANGULAR PARCEL OF LAND LYING AND BEING IN SECTION 26, TOWNSHIP 33 SOUTH, RANGE 20 EAST, MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE N89°09'52"W, ALONG THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 1389.30 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 255, PAGE 137, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N01°34'24"E, ALONG THE WEST LINE OF SAID LAND, A DISTANCE OF 6952.41 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1396, PAGE 5589, OF SAID PUBLIC RECORDS; THENCE N86°39'44"W, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 2409.09 FEET TO THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LANDS; THENCE N01°35'31"E, ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 1468.36 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N01°35'31"E, ALONG SAID WESTERLY LINE, A DISTANCE OF 337.38 FEET; THENCE N88°34'44"W ALONG SAID

WESTERLY LINE, A DISTANCE OF 503.90 FEET; THENCE S54°43'20"E, 605.58 FEET TO
THE POINT OF BEGINNING.

Exhibit “B” Maps

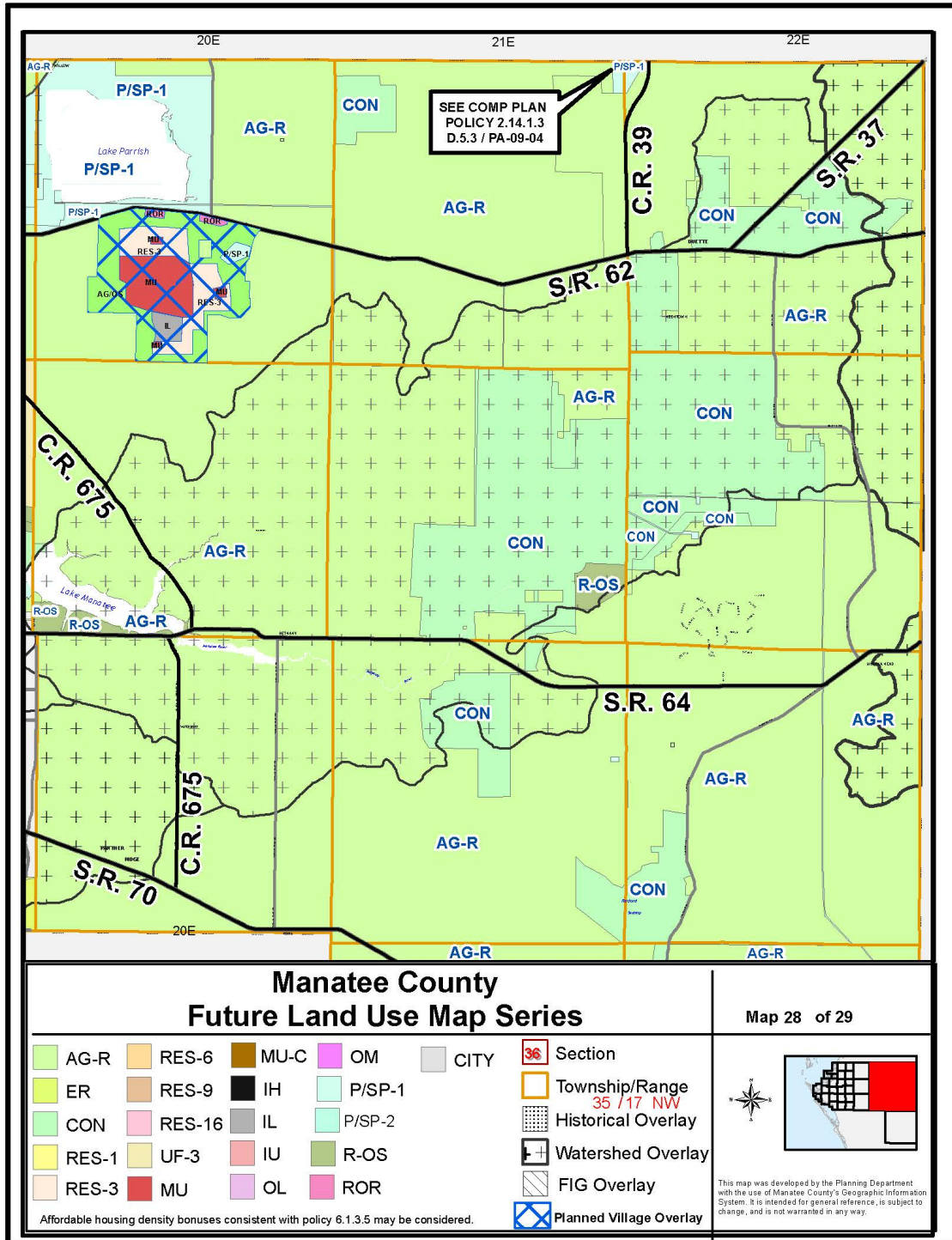


Exhibit “B”

Maps

