

PA-22-12 / ORDINANCE 23-26 (fka 22-84)
CONE RANCH LARGE-SCALE COMPREHENSIVE PLAN MAP AMENDMENT PLN2203-
0153 DEO23-07ESR

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING, AMENDING MANATEE COUNTY ORDINANCE NO. 89-01, AS AMENDED (THE MANATEE COUNTY COMPREHENSIVE PLAN); PROVIDING A PURPOSE AND INTENT; PROVIDING FINDINGS; PROVIDING FOR A PRIVATELY-INITIATED LARGE-SCALE MAP AMENDMENT TO THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT TO DESIGNATE SPECIFIC REAL PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF STATE ROAD 62 EAST (SR 62 E) AND EAST OF KEEN ROAD, AND WEST OF CORBETT JOHN ROAD AT KEEN ROAD, PARRISH, FL, IN MANATEE COUNTY, FROM THE AG/R (AGRICULTURE/RURAL) FUTURE LAND USE CLASSIFICATION (112.47± ACRES) TO THE UF-3 (URBAN FRINGE - 3 D.U./ACRE) FUTURE LAND USE CLASSIFICATION; TO BE DEVELOPED IN ACCORDANCE WITH POLICY 2.1.2.8 OF THE COMPREHENSIVE PLAN AS A COMPONENT OF A LARGER PROJECT, LOCATED WEST OF THE FUTURE DEVELOPMENT AREA BOUNDARY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Manatee County:

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 Community Planning Act, Part II of Chapter 163, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings in the adoption of this Ordinance:

1. 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,
2. The Community Planning Act (the "Act") is codified in the applicable portions of Chapter 163, Part II, Florida Statutes (2022) 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,
3. 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,

4. Application PA-22-12 is a Privately-Initiated Comprehensive Plan Map Amendment to the Future Land Use Map Series of the Future Land Use Element to change the Future Land Use Classification for specific real property from AG/R (Agriculture/Rural) to the UF-3 (Urban Fringe – 3 d.u./acre) Future Land Use Classification (112.47± acres).
5. On March 9, 2023, at a duly noticed public hearing, the Manatee County Planning Commission, as the County's Local Planning Agency for purposes of the Act, considered Application PA-22-12; and passed a motion to recommend transmittal of Plan Amendment 22-10 to the Board of County Commissioners; and,
6. Pursuant to Section 163.3187, Florida Statutes (2022), the Board of County Commissioners received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing on March 23, 2023, to consider Plan Amendment PA-22-12 and the transmittal of the proposed amendment to the State Land Planning Agency in accordance with the Act; and,
7. The Florida Department of Economic Opportunity (DEO), by a letter dated April 21, 2023, did not identify any comments related to adverse impacts to important state resources and facilities; however, did provide technical assistance comments regarding data and analysis to demonstrate current and future capacity of public facilities.
8. The Town of Longboat Key through communication dated March 29, 2023, did not identify any comments or objections.
9. The Tampa Bay Regional Planning Council (TBRPC), through a summary report dated March 28, 2023, did not identify any comments or objections.
10. The Board of County Commissioners further considered all oral and written comments received during said public hearings, the recommendations of the Planning Commission, and the comments of the State Land Planning Agency and all applicable State or local review agencies; and,
11. Pursuant to Section 163.3187, Florida Statutes (2022), on June 15, 2023, the Board of County Commissioners held an adoption public hearing, with due public notice having been provided, to consider said proposed amendment to the Comprehensive Plan; and,
12. All applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to Chapter 163, Part II, Florida Statutes (2022), and the Plan Format and Administration Section of the Manatee County Comprehensive Plan.

Section 3. Map Amendment: The Manatee County Comprehensive Plan is hereby amended to change the Future Land Use Classification of the property, described on Exhibit "A" hereto which is incorporated herein by reference from Ag/R (Agriculture/Rural) to the UF-3 (Urban Fringe – 3 d.u./acre) Future Land Use Classification (112.47± acres) Future Land Use Map "Exhibit "B". Such change shall be incorporated into the Future Land Use Map established and adopted as part of the County's Comprehensive Plan, 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. Codification: The publisher of the County's Comprehensive Plan, the Municipal Corporation, is directed to incorporate the amendments in Section 3 of this Ordinance into the Comprehensive Plan.

Section 6. Effective Date: This effective date of this large-scale amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(5)(a), Florida Statutes (2022). If challenged within 30 days after adoption, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission respectfully, finding the Amendments in compliance with the Act.

Section 7. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting this 15th day of June 2023.

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

By: _____
Kevin Van Ostenbridge, Chairperson

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

By: _____
Deputy Clerk

Exhibit “A”

DESCRIPTION: A parcel of land lying in Section 14, Township 33 South, Range 19 East, Manatee County Florida, and being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 14; run thence along the West boundary thereof, N.00°05'27"W, a distance of 1347.51 feet to the Southwest corner of the North 1/2 of the Southwest 1/4 of said Section 14, said point also being the **POINT OF BEGINNING**; thence continue along said West boundary, N.00°05'27"W, a distance of 1347.51 feet to the Northwest corner of the Southwest 1/4 of said Section 14; thence along the North boundary thereof, N.89°35'12"E, a distance of 2672.30 feet to the Northeast corner of the North 1/2 of said Southwest 1/4 of said Section 14; thence along the East boundary of said Southwest 1/4 of said Section 14, S.00°35'36"W, a distance of 2335.88 feet; thence, S.89°43'08"W, a distance of 1322.16 feet to a point on the East boundary of the Southwest 1/4 of aforesaid Southwest 1/4 of said Section 14; thence along said East boundary thereof, N.00°15'03"E, a distance of 1346.06 feet to the Northeast corner of the Southwest 1/4 of said Southwest 1/4; thence along the North boundary thereof, S.89°31'17"W, a distance of 1328.13 feet to the **POINT OF BEGINNING**.

Containing 112.4704 acres, more or less.

Exhibit “B”

