

ORDINANCE NO. 23-42
COMMUNITY RATING SYSTEM CLASS “4”
COUNTY-INITIATED LARGE SCALE COMPREHENSIVE PLAN MAP AMENDMENT –
WEST MANATEE FIRE AND RESCUE DISTRICT-OWNED PROPERTY
PLN2209-0015

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 COUNTY-INITIATED LARGE SCALE MAP AMENDMENT TO THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT TO DESIGNATE SPECIFIC REAL PROPERTY AS PROVIDED FOR IN EXHIBIT “A” FROM THE RES-6 (RESIDENTIAL – 6 DWELLING UNITS/ACRE) FUTURE LAND USE CLASSIFICATION TO THE P/SP (1) (PUBLIC/SEMI-PUBLIC (1)) FUTURE LAND USE CLASSIFICATION (1.91± ACRES); 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. The County has initiated Comprehensive Plan Map Amendment PA-22-17 (the “Comprehensive Plan Map Amendment”) in an effort to achieve a Class “4” rating through the Community Rating System (CRS) established under the National Flood Insurance Program (NFIP). Through the CRS, the County receives points by removing development potential / entitlements from property within the 100-year floodplain by changing a property’s Future Land Use Classification (FLUC) to a category which restricts development and is reflective of the current use of the site. Such categories of this type that are established in the Comprehensive Plan include the Public/Semi-Public (P/SP) category, respectively. By

reaching a "Class 4" rating, County residents can receive a greater reduction in their flood insurance premiums.

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-22-17; and passed a motion to recommend transmittal of Plan Amendment 22-17 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 April 27, 2023, to consider Plan Amendment PA-22-17 and the transmittal of the proposed amendment to the State Land Planning Agency in accordance with the Act; and,
7. By a letter dated June 2, 2023, the Florida Department of Economic Opportunity stated that they have no comments objection to the amendment; and,
8. By a letter dated May 24, 2023, the Southwest Florida Water Management District stated they have no comments for consideration; and
9. By a report dated April 15, 2023 – May 17, 2023, the Tampa Bay Regional Planning Council stated they have no comments; and
1. By an email dated May 4, 2023, the Town of Longboat Key stated they had no comments; and
2. By an email dated May 31, 2023, the Florida Fish and Wildlife Conservation Commission (FWC) stated they have no comments, recommendations, or objections.
3. 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,
4. Pursuant to Section 163.3187, Florida Statutes (2022), on August 24, 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,
5. 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", from the RES-6 (Residential – 6 dwelling units/acre) Future Land Use Classification to the P/SP (1) (Public/Semi-Public (1)) Future Land Use Classification (1.91± acres), and reflected on Map 19 of the Future Land Use Map Series as provided for in 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. Codification. The publisher of the County's Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this Ordinance into the Land Development Code.

Section 5. Applicability. The amendments set forth in this Ordinance shall apply to all applications, decisions or controversies pending before the County upon the effective date hereof or filed or initiated thereafter.

Section 6. 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 7. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the 24th day of August 2023.

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

By: _____
Kevin Van Ostenbridge, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court and Comptroller

By: _____
Deputy Clerk

EXHIBIT "A"
PROPERTY LIST

#	PARCEL ID	USE	FLUC (EXISTING)	FLUC (PROPOSED)	ACRES (±)
1	7577100159	Fire Station	RES-6	P/SP (1)	1.91
TOTAL ACRES:					1.91

EXHIBIT "B"

FUTURE LAND USE MAP

