

MANATEE COUNTY ZONING ORDINANCE
PDPM-91-01(Z)(G)(R3) - PORT MANATEE

FILED FOR RECORD
R. R. SHIPLE
CLERK CIRCUIT COURT
MANATEE CO. FLA. 34401
FEB 4 11 43 AM '00

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO. 90-01 (THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND CONSISTING OF ± 414 ACRES FROM LM/CH (LIGHT MANUFACTURING/COASTAL HIGH HAZARD OVERLAY) AND HM/CH (HEAVY MANUFACTURING/COASTAL HIGH HAZARD OVERLAY) TO PDPM/CH (PLANNED DEVELOPMENT PORT MANATEE/COASTAL HIGH HAZARD OVERLAY); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF AN AMENDMENT TO THE EXISTING PORT MANATEE GENERAL DEVELOPMENT PLAN TO ADD APPROXIMATELY 414 ACRES OF PROPERTY AND A PERMITTED USE ON PORT PROPERTY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT. The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said County, as well as all other matters presented to said 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 Section 4 of this Ordinance from LM/CH (Light Manufacturing/Coastal High Hazard Overlay) and HM/CH (Heavy Manufacturing/Coastal High Hazard Overlay) to PDPM/CH (Planned Development Port Manatee/Coastal High Hazard Overlay).

B. The Board of County Commissioners held a public hearing on January 25, 2000 regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code, and has further considered the information received at said public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan.

Section 2. The General Development Plan is hereby APPROVED to allow an amendment to the existing Port Manatee General Development Plan to add approximately 414 acres of property and a permitted use on Port property with the following stipulations:

STIPULATIONS

1. With each final site plan submitted for approval on property adjacent to Piney Point Rd., west of Reeder Road and the western boundary of Zone F, the Port an/or each lessee shall provide a twenty (20) foot wide screening buffer. This buffer shall meet or exceed the requirements in Section 715, in both numbers of trees and shrubs required. (Original stipulation)

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2000 FEB 11 11:00 AM
DEPT. OF COUNTY CLERK
TALLAHASSEE FLORIDA

2. Maximum building heights shall be determined as follows:

ZONE/AREA/LOCATION	MAXIMUM BUILDING HEIGHT
Within 600 feet of Piney Point Rd./Zone E	55 feet
Zone C, except for area between Piney Point Rd, Harlee Rd. & CSX Tracks	55 feet
East 1200 ft. of Zone B*	75 feet
Zone E*	75 feet
Zone A, A-1, A-2a-c	200 feet**
Zone D, F (structures), G	55 feet
Adjacent to Port Boundaries	those exceeding 55 ft. shall meet an additional 1 ft. setback/2 additional feet in height

*except within 600 ft. of Piney Point Rd., where they are limited to 55 feet.

**except within 600 ft. of Piney Point Rd., limited to 75 feet.

3. A detailed seagrass mitigation plan shall be submitted to the Environmental Management Department (after approval by applicable state and federal agencies) with the submittal of the first final site plan or off-street parking plan for berth related improvements (ie. seawalls, aprons, etc.)
4. An evaluation of the Hendry, FPL and Savage Tracts for critical habitat shall be conducted in accordance with Comprehensive Plan Policy 3.3.2.3, prior to approval of the first Final Site Plan on these properties. Agency approved Wildlife Management Plans may be required as a result of this evaluation.
5. Chemical processing and heavy manufacturing uses shall not be allowed within the northeastern three hundred (300) feet along Piney Point Road in Zone E, nor along the western portion of Zone E adjacent to the wetlands.
6. The ten (10) foot wide screening landscape buffer required per Section 603.18 of the Code shall be installed along the length of the eastern property boundary of Zone C by December 31, 2000.
7. The Port shall provide complete wetland survey and inventory information for each zone with the submittal of the first preliminary/final site plan for development within that zone of the Hendry tract. All jurisdictional lines and buffers shall be shown on this plan. Any upland preservation areas shall be thoroughly shown and described within the plan.
8. Prior to improvement of the Piney Point Rd. boat launch area, or approval of site plans for such improvement, the Land Development Code must be amended to allow recreational uses within the PDPM District, and the Port Master Plan shall be amended to include the Savage property and the FPL property, prior to improvements to any berth facilities, within the Port boundaries.

9. Prior to any activity other than mitigation on the FPL site, the Port Master Plan shall be amended to include this property.
10. All conditions of DEP Permitting and other related Federal permits shall be met in full.
11. Should any improvements be made to the boat launch area, it must be brought up to County standards for parking, solid waste, signage and state or federal standards for channel markers.
12. Prior to the first Final Site Plan approval on the Hendry, Savage or FPL tracts, the applicant shall demonstrate upland preservation requirements pursuant to Comprehensive Plan policy 3.3.2.2 and 4.1.2.1.
13. In order to determine compliance with Comprehensive Plan policy 4.1.1.4, the Port shall submit a survey or other means, to identify seagrass locations in impacted areas. This shall be submitted with the first Final Site Plan for a project that impacts existing seagrass beds.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from LM/CH (Light Manufacturing/Coastal High Hazard Overlay) and HM/CH (Heavy Manufacturing/Coastal High Hazard Overlay) to PDPM (Planned Development Port Manatee), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

PARCEL "A"

THE NORTH 1320.18 FEET OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

PARCEL "B"

THE EAST 1/2 OF THE SOUTHEAST 1/4; THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4; THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, LESS THE SOUTH 165 FEET AND LESS THE NORTH 1320.18 FEET THEREOF, ALL IN SECTION 12, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

TOGETHER WITH THAT PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE N 89°29'50"W, ALONG THE NORTH LINE OF SECTION 13, A DISTANCE OF 1978.60 FEET TO THE NORTHWEST CORNER OF SAID EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13; THENCE S 00°15'07"W, ALONG THE WEST LINE OF SAID EAST 1/2, A DISTANCE OF 75.26 FEET; THENCE N 88°19'27"E, 1979.70 FEET TO THE POINT OF BEGINNING.

PARCEL "C"

THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

TOGETHER WITH THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, ALL IN SECTION 13, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA. LESS THE FOLLOWING DESCRIBED PROPERTY: BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE N 89°29'50"W, ALONG THE NORTH LINE OF SECTION 13, A DISTANCE OF 1978.60 FEET TO THE NORTHWEST CORNER OF SAID EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13; THENCE S 00°15'07"W, ALONG THE WEST LINE OF SAID EAST 1/2, A DISTANCE OF 75.26 FEET; THENCE N 88°19'27" E, 1979.70 FEET TO THE POINT OF BEGINNING.

Section 5. 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 25th day of January, 2000.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Stan Stegeman
Chairman

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

BY: Susan B. Romine



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 25th day of January, 2000

R.B. SHORE
Clerk of Circuit Court
By: Patricia A. Tatum
S.C.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

February 1, 2000

Honorable R. B. Shore
Clerk of the Circuit Court and Comptroller
Manatee County
Post Office Box 1000
Bradenton, Florida 34206

Attention: Janene Kearney, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters dated January 25, 2000 and certified copies of Manatee County Ordinance Nos. Z-99-13, Z-99-15 and PDPM-91-01(Z)(G)(R3)-Port Manatee, which were filed in this office on February 1, 2000.

As requested, the date stamped copies are being returned for your records.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

Enclosure

FILED FOR RECORD
R.A. SIMPSON
CLERK OF CIRCUIT COURT
MANATEE COUNTY
FEB 4 11 40 AM '00