LDCT-17-02/ORDINANCE 19-06 fka 18-42 - LAND DEVELOPMENT CODE TEXT AMENDMENT/ AIRPORT ZONING (CONTAINS MINIMUM STATE STATUTE REQUIREMENTS)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE OF MANATEE COUNTY; PROVIDING FINDINGS; PROVIDING FOR PURPOSE AND INTENT; AMENDING CHAPTER 2, DEFINITIONS; SECTION 200, DEFINITIONS; TO ADD, DELETE AND AMEND DEFINITIONS REGARDING AIRPORT ZONING AND RELATED TERMINOLOGY; AMENDING CHAPTER 4, ZONING; SECTION 403.1, OVERLAY DISTRICTS ESTABLISHED; TO PROVIDE FOR SPECIFIC OVERLAY DISTRICTS: THE SARASOTA BRADENTON INTERNATIONAL AIRPORT (SRQ) OVERLAY DISTRICTS; SECTION 403, OVERLAY DISTRICTS; SECTION 403.2, AIRPORT IMPACT (AI) OVERLAY DISTRICT TO ADD, DELETE, AMEND, AND ESTABLISH REGULATIONS REGARDING AIRPORT ZONING; PROVIDING FOR THE ADDITION AND ESTABLISHMENT OF MAPS DESIGNATED MAP 4-1, SARASOTA BRADENTON (SRQ) PART 77 SURFACES; MAP 4-2, SARASOTA BRADENTON (SRQ) PART 333 SURFACES; MAP 4-3 SARASOTA BRADENTON (SRQ) NOISE EXPOSURE MAP; TABLE 4-1 AI NOISE OVERLAY LAND USE COMPATIBILITY GUIDELINES; AND FIGURE 4-1, CIVIL AIRPORT IMAGINARY SURFACE; PROVIDING FOR OTHER AMENDMENTS AS MAY BE NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.


RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and in accordance with Section 341 of the Land Development Code, I move to ADOPT Ordinance 19-06, amending the Manatee County Land Development Code, as recommended by the Planning Commission.

PLANNING COMMISSION ACTION:
On April 13, 2017, by a vote of 4 – 1, the Planning Commission recommended approval. Mr. Bower voted nay stating it is not too much to ask for to let the Commission know
exactly what Ordinance is doing. Mr. Conerly abstained and Mr. Rutledge was absent. On December 13, 2018, by a vote of 4 – 0, the Planning Commission recommended approval. Mr. Conerly abstained and Mr. Heap and Mr. DeLesline were absent.

BOARD OF COUNTY COMMISSIONERS ACTION:
On May 4, 2017, by a vote of 7 – 0, the Board of County Commissioners continued the public hearing to June 1, 2017.
On June 1, 2017, by a vote of 6 – 0, the Board of County Commissioners continued the public hearing to September 7, 2017.
On September 7, 2017, by a vote of 6 – 0, the Board of County Commissioners continued the public hearing to October 5, 2017.
On October 5, 2017, by a vote of 7 – 0, the Board of County Commissioners continued the public hearing to November 2, 2017.
On November 2, 2017, by a vote of 7 – 0, the Board of County Commissioners continued the public hearing to December 7, 2017.
On December 7, 2017, by a vote of 7 – 0, the Board of County Commissioners continued the public hearing to January 11, 2018.
On January 11, 2018, the Board of County Commissioners heard this item. No action was necessary at this hearing.
On January 10, 2019, the Board of County Commissioners heard this item. No action was necessary at this hearing.

PUBLIC COMMENT AND CORRESPONDENCE:
The following people spoke at the April 13, 2017 Planning Commission public hearing:
   Ed McMullen stated opposed due to amendments go significantly beyond requires of SS 33; to broad and will prevent or adjust affected development areas, appears to give Airport Authority significant input on applications in new established boundaries; if Airport Authority is commenting on technical matters the County should ensure they have expertise to comment; amendments will have impact on all properties within the newly established boundaries regarding the property rights and values of both residential and commercial properties and the lowering of property values will create a general introduction into for Harris Act claims for these affected properties.
   John Benson with Benson Engineering stated changes far exceed what that State requires, agrees with last speaker, the Land Development Code already has an Airport Overlay and it has worked well in past, increase of activity of Airport Authority is impactful; it appears this will be retroactive and will have impact on projects currently in the review process (he has never seen this done), and the word “maximum” is not defined this needs a definition and stricken from Ordinance.
A public comment letter was entered into the record at the April 13, 2017 Planning Commission public hearing.
May 4, June 1, September 7, October 5, November 2, 2017 and January 11, 2018 Board of County Commissioners
There was no public comment and nothing was entered into the record.

December 13, 2018 Planning Commission Public Comments
   Fredrick Piccolo, President and CEO of the Airport, explained that they are asking for the Special Considerations due to the flight tracks (graphic entered into record) and their concern for safety and welfare of citizens on planes as well in potential building that may be in the flight path.
January 10, 2019 Board of County Commissioner Comments
Fredrick Piccolo, CEO of the Airport, stated this change is generous and fair standards for home and land owners in area; most of the land in area is already developed and the standards are consistent with current flight path averages.
Dan Bailey, attorney for the Airport, spoke of property that had a height that was previously within the flight path; a majority of properties around the airport are single family homes which are one story for a majority of them.
UPDATE FROM CONTINUATION OF JANUARY 11, 2018 MEETING:

At the January 11, 2018 BOCC public hearing on LDCT-17-02/Ordinance 18-01 – Land Development Code Text Amendment/Airport Zoning, staff presented and included in the recommended ordinance a request by Bradenton-Sarasota International Airport (SRQ) to require land use applications within the approach zone of the airport to go through the Planned Development Process in order for height to be determined. The Board felt this was subjective and directed Staff to recommend revisions to Section 403.2.C., to provide appropriate height restrictions in the SRQ-Special Area of Consideration (Map 4-1 and Map 4-1a at this time.

Staff is presenting two ordinances: one proposed ordinance (Ordinance 19-06) is addressed in this staff report and satisfies the minimum requirements for airport protection zoning regulations in Chapter 333, Florida Statutes.

The second proposed ordinance (Ordinance 19-05) is addressed in a separate staff report and is more stringent than the minimum requirements for airport protection zoning regulations in Chapter 333, Florida Statutes in that the Text and Map Amendments also include the SRQ request for the Special Area of Consideration and additional height restrictions beyond those required by Florida Statute.

Both proposed Ordinances (19-05 and 19-06) can be found to be consistent with and to implement the recently adopted amendments to the Comprehensive Plan designated as PA-16-09/Ordinance No. 17-03 as further described in this Staff Report.

Chapter 333, F.S

In general, maximum height is measured in the usual manner, i.e. the vertical distance above the average grade or, in a flood zone, above the minimum floor elevation; except that structures above the roof, e.g. mechanical equipment, chimneys, cupolas, antennae, etc. are also included in the measurement. However, in order to calibrate the proposed maximum heights within the standards, the FAA adopted airport elevation of 30.0 feet MSL is used as the baseline for calculations within the respective sub areas.

These maximum height restrictions are consistent with the recently-enacted Urban Corridor Design Standards which give notice that: “...Airport Impact Overlay District regulations stated in Section 403.2 may render some sites ineligible for the maximum permitted height.”
SUMMARY/BACKGROUND:

On March 2, 2017 the Board of County Commission approved Ordinance 17-03, Case Number PA-16-09 providing amendments to the Definitions and Future Land Use Element, Future Land Use Map Series, and Aviation Sub-Element of the Comprehensive Plan.

In 2016, the Florida Legislature adopted amendments to the Florida Statutes, Chapter 333 – Airport Zoning (House Bill 7061). Chapter 333 addresses Airport Zoning, definitions and land use compatibility standards in and around public use airports (commercial and general aviation). Per the Statute, local governments are required to update their airport zoning standards (regulations) by July 1, 2017.

As noted by FDOT (Florida Department of Transportation), the significant changes to Chapter 333 include the following:

- Definitions
- Shows new numbering of Part 77, subpart C (Standards for determining obstructions to air navigation, etc.)
- New criteria for FDOT evaluation of permit applications
- New criteria and processes for political subdivision’s airport zoning regulations
- Modifications to land use compatibility regulations
- Requirement for political subdivisions having land underlying Part 77 surfaces to have Interlocal Agreement or Joint Zoning Board for Airport Zoning
- Submittal requirements to the FDOT Aviation Office
- Repeal of certain sections

The amendments include specific references and locational standards to educational facilities, landfills, and residential developments. Chapter 333, as amended, also provides updated standards to the various surfaces in and around the airport. Surfaces generally refer to certain areas (imaginary areas) in and around the airport which are used for different movements, in the air, by aircraft. These surfaces are also critical in identifying from a height standpoint, those structures (buildings, towers, etc.) that pose potential hazards to airports and/or air navigation. These surfaces generally identify and aim to protect aircraft operations including landings, takeoffs, and approaches to the airport. These surfaces also help to identify areas of land use compatibility and building heights adjacent to the airport. As noted within the FDOT Airport Compatible Land Use Guidebook:

“Land development in the vicinity of public-use airports and military airfields is regulated by federal, state, and local government laws, statutes, rules, and regulations. These have been developed over many years and are enforced to protect public-use airports and military airfields from encroachment from competing land uses that are not compatible with current operations or approved airport improvements. There are two main types of encroachment, the first is in the form of a structure that, due to its height, may create a potential hazard for aircraft; these encroachments are referred to as “tall structures”. The second form of encroachment is land development that is not considered compatible; this type of encroachment is referred to as “incompatible land use.” Incompatible land use may increase public concerns related to environmental and safety issues or heighten the perception of aircraft noise or aircraft accident potential. Tall structures and/or
incompatible land use can endanger people on board an aircraft, as well as people on the ground.”

The Florida Legislature amended Florida Statute 333, Airport Zoning (F.S. 333), effective July 1, 2016, which will impact the airport zoning regulations of almost all airport zoning authorities, including Manatee County, and require amendments to the County’s existing regulations by July 1, 2017. F.S. 333 requires that every political subdivision having an airport hazard area (any area where an airport hazard/obstruction might be established) within its territorial limits shall adopt, administer, and enforce in the manner and conditions prescribed in F.S. 333, airport zoning regulations. Per FDOT, “F.S. 333 (2016) is not a rule or regulation of the FDOT but state law which must be complied with to prevent adverse impacts to your permitting processes.”

Manatee County’s Comprehensive Plan was amended per Ordinance 17-03, specifically the Future Land Use, Aviation Sub-Element of the Transportation Element, and Definitions. These portions of the Manatee County Comprehensive Plan form the basis for the County’s airport zoning standards located within Chapter 4, Section 403.2 of the Manatee County Land Development Code. The County’s Comprehensive Plan, specifically these Elements, was amended in order to provide consistency between the Plan and the implementing Zoning standards subject of this LDC Code Text and Map Amendments.

The amendments to Chapter 4 – Zoning, specifically Section 403.2 relating to the Airport Impact (AI) Overlay Zoning District and its requirements are consistent with and based on both the adopted Comprehensive Plan and F.S. 333. As part of this Land Development Code Text Amendments, certain maps are required to be amended to reflect the new nomenclature and airport “surfaces” for areas in/around airports including the Bradenton-Sarasota International Airport (SRQ). The proposed standards are based on two primary components, Chapter 333 Florida Statutes (State standards addressing land use and height, and 14 C.F.R. Part 77 (Federal standards addressing land use and noise).

It is important to note that there are two sets of standards proposed (based on Chapter 333.03(2), F.S.), which are based on whether the airport has conducted an noise study consistent with 14 C.F.R. Part 150 (i.e., Noise Compatibility Study) approved by the Federal Aviation Administration (FAA); only SRQ has conducted such a study. Airports that have not undertaken and completed such noise studies are provided a more generalized set of standards. If an airport has an approved Part 150 Noise Study or an approved Noise Exposure Map (NEM), Chapter 333, F.S. requires that the noise contours from that study must be used to limit or restrict residential development along with certain other uses including educational facilities. Additional land uses may also be regulated based on their location within certain noise contours as identified in Table 4-1. When an airport has not conducted a noise study, residential development, sanitary landfills and educational facilities are limited (new development restricted) in areas around airports per based on the distances established by the legislation. These distances are generally defined (identified) measured as one-half the length of the longest runway, extending around the airport.

Each set of standards also identify those items requiring permits from Manatee County, FAA and or FDOT, as well as items that may be considered by Manatee County (i.e., Planning Commission and Board of County Commissioners) as part of the permit review process.

The Code Amendments are summarized as follows:

Subsection a. and c. are required per Florida Statutes Chapter 333 and or 14 C.F.R. Part 77.
**Sarasota Bradenton International Airport**

a. SRQ Airport Impact Height Overlay. These standards define the various “surface” in and around the airport including the approaches to the airport. Standards within this section identify maximum heights of buildings and structures including towers based on their proximity to the airport.

b. SRQ Airport Impact Noise Overlay. Standards applying to certain types of land use which may be impacted by noise adjacent to the airport (based on SRQ's Noise Exposure Mode) included within Table 4-1. This section also addresses landfills, residential uses and educational facilities.

**PROPOSED AMENDMENTS:**

Due to the nature of the amendments and to provide for increased clarity in review, Manatee County staff and the County’s Planning Consultant have recommended the current standards be stricken in whole and replaced with new language as proposed. The proposed text amendments are provided and shown in strike-through and underline format in the attached ordinance.

Following is a list of changes to each chapter of the Land Development Code.

**CHAPTER 2. DEFINITIONS**

**NEW and AMENDED DEFINITIONS:**
- **Airports**
  - Aeronautical study
  - Airport
  - Airport Elevation
  - Airport Hazard
  - Airport hazard area
  - Airport land use compatibility zoning
  - Airport layout plan
  - Airport master plan
  - Airport protection zoning regulations
  - Airspace Drawings
  - Approach Zone, Non-Precision (Non-Precision Instrument Approach Zone)
  - Approach Zone, Precision Instrument (Precision Instrument Approach Zone)
  - Department
  - Educational facility
  - Hazard to Navigation
  - Height
  - **Height Building**
  - Heliport
  - Helistop
  - Landfill
  - Noise Compatibility Plan
  - Noise Exposure Map
  - Nonconforming Use
  - Public-use airport
  - Runway
  - Runway Protection Zone
Runway, Non-Precision Instrument (Non-Precision Instrument Runway)
Runway, Precision Instrument (Precision Instrument Runway)
Structure
Substantial modification
Surface, Approach (Approach Surface)
Surface, Conical (Conical Surface)
Surface, Horizontal (Horizontal Surface)
Surface, Primary (Primary Surface)
Surface, Transitional (Transitional Surface)
Surface, Visual Approach (Visual Approach Surface)
Transitional Zone

CHAPTER 4. ZONING

1. Amend Section 403.1, Overlay Districts Established to add the Sarasota Bradenton International Airport (SRQ) to the AI: Airport Impact Overlay District.

2. Amended Section 403.2. Airport Zoning Regulations: Airport Impact (AI) Overlay District and all sub-sections currently existing with the Manatee County Land Development Code, replacing it with language and standards, including Maps, Figures and Tables identified as follows:
   A. 403.2.A Purpose
   B. 403.2.B Applicability
   C. 403.2.C Sarasota Bradenton International Airport (SRQ)
      a. SRQ-AI Height Overlay – Part 77 Surfaces (Provided consistent with 14 C.F.R. Part 77)
      b. SRQ-AI Noise Overlay (Provided per FS 333)

CONSISTENCY WITH THE MANATEE COUNTY COMPREHENSIVE PLAN:

The Land Development Code is enacted pursuant to Section 163.3202 of the Florida Statutes and its purpose is to implement the Comprehensive Plan of the County by establishing regulations, procedures, and standards for review and approval of all development and use of land in the unincorporated portions of the County. It is stated in Chapter 1 of the LDC that “the Code is adopted in order to foster and preserve public health, safety, comfort, and welfare in the unincorporated areas of the County.” Further, that it is the intent of the Code that the development process in Manatee County be efficient, in terms of time and expense, effective, in terms of addressing the natural resource and public facility implications of proposed development, and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the County.

Manatee County has reviewed the proposed changes to the LDC to ensure the purpose and intent stated in the Code (and above) will continue to be met.

In addition, the proposed LDC amendments are consistent with and implement the Manatee County Comprehensive Plan and specifically the Comprehensive Plan Amendment contained within Ordinance No. 17-03, adopted by the Board of County
Commission on March 2, 2017. Those amendments, as adopted, include:

**Future Land Use Element**

Policy: 2.2.2.7  
**AI:** Establish the Airport Impact Overlay District as follows:

Policy: 2.2.2.7.1  
Definition: The geographic area subject to current or future projected noise exposure from any aviation facility of 65 Ldn or greater. This area is defined as the area contained within the 65 Ldn noise contour, as shown on the official noise exposure maps (NEM) for the aviation facility (Map contained in the Aviation Sub-Element of the Transportation Element) and Map 5-A SRQ 1998 Noise Exposure Map.

Policy: 2.2.2.7.2  
Purpose:

a) To define geographic areas which will be subject to special review or regulation pursuant to the applicable Policies adopted as part of Objective 5.13.1, 5.13.2, 5.13.3.

Policy 2.2.2.7.3  

Policy: 2.2.2.7.4  
Effect of Mapping:

a) Any project which is at least partially within the AI Overlay District shall be subject to the applicable requirements listed under Policies 2.2.2.7.2 and 2.2.2.7.3 above and the applicable standards of the Land Development Code, Chapter 4.

b) The area designated under the AI Overlay District on the Future Land Use Map and Map 5-A SRQ 1998 Noise Exposure Map shall also be subject to all goals, objectives and policies for any future land use category under the AI Overlay.

**AVIATION SUB-ELEMENT**

GOAL: 5.12  
The provision of sufficient general aviation facilities to meet the needs of area residents and businesses in a manner that is safe, economical, and environmentally
Objective: 5.12.1 **General Aviation Facilities:** Continue to evaluate the need for a new or expanded general aviation facility in coordination with the West Central Florida Metropolitan Area Aviation System Plan.

Policy: 5.12.1.1 Continue to assess the ability of the Sarasota-Bradenton International Airport to meet future general aviation demand.

Implementation Mechanism:

a) Manatee County Building and Development Services initiation of coordination activities with the Sarasota-Manatee Airport Authority and participation consistent with this policy.

Policy: 5.12.1.2 Request that the Sarasota-Manatee Airport Authority initiate appropriate actions following conclusion of any study identifying the need for additional mechanisms to meet future general aviation demands.

Implementation Mechanism:

a) Coordination by the Manatee County Building and Development Services with the Sarasota-Manatee Airport Authority to ensure compliance with this policy.

GOAL: 5.13 **Location, regulation, and operation of existing and future airports to minimize the impact on the natural environment and to minimize the conflicts between airport facilities and surrounding land uses.**

Objective: 5.13.1 **Noise Impact of Sarasota-Bradenton International Airport:** Maintain current strategies, in cooperation with the Sarasota-Manatee Airport Authority, for preventing any increase in, and for reducing (where feasible), noise impacts associated with the daily operation of Sarasota-Bradenton International Airport (see also Policy 2.2.2.7.)

Policy: 5.13.1.1 Coordinate with the Sarasota-Manatee Airport Authority to maintain an appropriate and acceptable adopted noise abatement and land use compatibility program for the Sarasota-Bradenton International Airport consistent with...
the requirements of the FAR Part 150 Noise Compatibility Program. Manatee County shall take appropriate action to ensure, to the maximum extent practicable, that this noise abatement strategy is consistent with the protection of land uses in Manatee County from adverse noise impacts.

Implementation Mechanism(s):

a) Manatee County Building and Development Services coordination with the Sarasota-Manatee Airport Authority to implement the strategy required by this policy, and to monitor and ensure the airport's compliance with Airport DRI requirements relating to noise abatement and land use compatibility stipulated in the DRI Development Order.

b) Board of County Commissioners coordination with, and assistance (where appropriate) to, the Sarasota-Manatee Airport Authority for developing a local or state-based funding source, or to obtain FAA funding targeted to assist in the implementation of adopted noise abatement or land use compatibility programs.

Policy: 5.13.1.2 Maintain an Airport Impact Overlay district (see the Future Land Use Map series Map 5-A SRQ 1998 Noise Exposure Map as may be amended) for the area currently exposed to, or projected for exposure to, aircraft noise of 65Ldn or more to regulate land uses and minimize the development of land uses that would be severely impacted by exposure to aircraft noise within the Airport Impact overlay District.

Implementation Mechanism(s):

a) Maintain land development regulations developed pursuant to §163.3202, F.S. and §333, F.S. and 14 C.F.R. s. 77, that include an Airport Impact Overlay section which contains specific criteria for the review of applicable development orders to ensure policy compliance.

b) Continue Building and Development Services coordination with the Sarasota-Manatee Airport Authority and implement noise review criteria for review of applicable development orders within the Airport Impact Overlay District of the Sarasota-Bradenton International Airport.

Policy: 5.13.1.3 Maintain adopted land development regulations that shall,
at a minimum:

1) require that a review process be within the LDC for the approval of new projects containing noise sensitive uses within the Sarasota-Bradenton International Airport's Airport Impact Overlay District, and

2) reference the 1998 Noise Exposure Maps, as may be amended, for the Sarasota-Bradenton International Airport that were accepted or approved by the Federal Aviation Administration as part of the regulatory framework of the land development regulations. The Land development code shall also identify recommended compatible uses within specified noise (Ldn) contours. The Land development code, Zoning regulations associated with the Airport Impact Overlay District shall also be closely coordinated with the Sarasota-Manatee Airport Authority, and

3) provide, at the time of consideration of any proposed development order establishing a permitted use or increased residential density, for a review of compatibility of the proposed use or density with existing noise exposure levels, and with projected noise levels (See also Policy 5.13.1.2 above).

Policy: 5.13.1.4 Prohibit any airport activity or expansion which would adversely alter the noise impact of the Sarasota-Bradenton International Airport by generating an expansion or adverse alteration of the existing noise contours. The Board of County Commissioners may determine that expansion of contours on Airport property, expansion to areas with compatible uses to the airport, or changes to contours which achieve a net positive result do not constitute an adverse alteration of the noise contours. No development orders shall be issued by Manatee County for any airport expansion or redevelopment which would violate this policy.

Implementation Mechanism:

a) Coordination between the Manatee County Building and Development Services and the Sarasota-Manatee Airport Authority to achieve compliance with this policy.

Objective: 5.13.2 Airport Compatibility: Airports located and operated in a
manner consistent and compatible with current and future surrounding land uses, including protection of land uses from adverse airport noise impacts.

Policy: 5.13.2.1 Prevent or minimize any future conflicts or incompatibilities between any new, or expanded, general aviation or commercial aviation facility and any existing or future land use or natural resources by maintaining airport siting criteria and a series of performance standards for all general aviation or commercial airports. Also, require identification of an Airport Impact Overlay District on the Future Land Use Map for any general aviation or commercial aviation airport, such Overlay District encompassing the area exposed to aircraft noise of 65 Ldn or greater. (See also Policy 5.13.4.1)

Implementation Mechanism:

a) Maintenance of land development regulations pursuant to § 163.3202, F.S. and § 333, F.S., and 14 C.F.R. s. 77, containing airport siting criteria and performance standards, designed to ensure compatibility of any airport with existing land uses and natural resources, and with future land uses, including uses identified in the Land development code.

Policy: 5.13.2.2 Consistent with § 333, F.S., maintain a development review process that requires noise level reduction within any structure to 45 Ldn as a condition for issuance of any building permit for residential or other noise sensitive uses within any Airport Impact Overlay District.

Implementation mechanism:

a) Implementation of procedures by the Manatee County Building Department to require all applicable building permits to be issued in a manner so as to require use of construction materials, and/or use of designs that achieve interior noise levels of 45 Ldn or less. As part of these procedures, the developers will also be required to submit certification that the structure(s) has met this condition, such certification prepared either by the architect or by a professional acoustician, prior to the issuance of a certificate of occupancy. All residential subdivision requests will be subject to the aforementioned requirements as a condition of Preliminary Plat approval, or similar approval.
Policy: 5.13.2.3  Continue to involve the Sarasota-Manatee Airport Authority in the review of rezonings, Comprehensive Plan amendments, site plan approvals, and other appropriate development orders which are requested in the 65+ Ldn noise impact area of all airports under the Sarasota Manatee Airport Authority's jurisdiction, in order to ensure consistency with the Noise Compatibility Program for the Sarasota-Bradenton International Airport as established pursuant to Policy 5.13.1.1 or with any other noise compatibility program for other airports.

Implementation Mechanism:

a) Manatee County Building and Development Services coordination with the Sarasota-Manatee Airport Authority to facilitate compliance with this policy.

Objective: 5.13.3  Airspace Protection: Limit obstructions by objects (as defined by the Land development code including those within § 333, F.S. and 14 C.F.R. s. 77 that violate any general aviation or commercial airport's runway protection zones, approach surfaces, transition surfaces, horizontal surfaces, and conical surfaces, and to protect against land uses that are incompatible with airport facilities and operations.

Policy: 5.13.3.1  Require compliance with height and permitting restrictions within airport hazard areas established by airport zoning regulations developed pursuant to Ch. 333, F.S.

Implementation Mechanism:

a) Coordination between the Sarasota-Manatee Airport Authority and the Manatee County Building and Development Services to implement regulations described in this policy in land development regulations developed pursuant to § 163.3202, F.S.

Policy: 5.13.3.2  Prohibit the development of any structure violating any maximum height limitation imaginary surface indicated on the Airport Map, Surfaces adopted in the Land Development Code Chapter 333, F.S. and Equivalent Height Limitations for Public Use and Private Use Airports. The Land development code- Airport Map, Surfaces shall be shall be amended to reflect the addition of any new planned public
use or private airports, or to reflect any changes in flight arrival/departure patterns associated with existing public use airports.

Implementation Mechanism:

a) Coordination between the Manatee County Building and Development Services the Sarasota-Manatee Airport Authority, to achieve compliance with this policy.

Policy: 5.13.3.3 Encourage, where local authority to do so is not precluded by federal law, the use of areas shown on Map 5-I Preferred Locations for Antenna Towers/Clusters, for locating all new or relocated antenna towers or antenna clusters where such tall structures are approved in those locations by the Federal Communications Commission, and are otherwise consistent with goals, objectives, and policies of this Comprehensive Plan.

Implementation Mechanism:

a) Manatee County Building and Development Services review of proposed antenna towers and antenna structures for compliance with this policy.

Objective: 5.13.4 Compatibility With Natural Resources: Improvement and expansion of the Sarasota-Bradenton International Airport in a manner that minimizes adverse impacts to water quality and other natural resources.

Policy: 5.13.4.1 Minimize the disruption of environmentally sensitive land or natural resources caused by the siting of new, or expansion of existing, airport facilities and achieve consistency with the Future Land Use Element, Coastal Management Element, and Conservation Element.

Implementation Mechanism(s):

a) Use of airport siting criteria contained in regulations developed pursuant to policy 5.13.2.1 by the Building and Development Services to evaluate proposed airport sites.

b) Airport performance standards developed pursuant to Policy 5.13.2.1 containing requirements which allow for the determination of the impacts of any expansion or new airport development on environmentally sensitive areas or natural resources, and containing requirements to ensure
that any adverse impacts are reduced to a minimum. Requirements will include the required submittal of site development plans for designation of any proposed airport site or expansion.

c) Policy in the Future Land Use Element generally precluding future commercial aviation facilities from location in the WO Watershed Overlay Districts (See also Policy 2.2.2.2.5).

GOAL: 5.14 Effective coordination of the operation, development, or expansion of all airports in Manatee County with all appropriate federal, state, regional and local agencies.

Objective: 5.14.1 Airport Improvements Coordination: Improvements to Sarasota-Bradenton International Airport coordinated with improvements to roads and other public facilities impacted by the airport.

Policy: 5.14.1.1 Require that all planned or necessary on- or off-site capital improvements contained in, or necessary to implement, the Sarasota-Manatee Airport Authority’s approved master plans are consistent with the MPO’s 2040 Long Range Transportation Plan, with FDOT’s 2030 Florida Transportation Plan and five year work program, with Manatee County’s Capital Improvements Element, and with other agency budgets.

Implementation Mechanism:

a) Coordination by the Manatee County Building and Development Services, Public Works Department, and the Utilities Department, to ensure consistency between any master plan adopted by the Sarasota-Manatee Airport Authority and the Capital Improvements Element contained in this Comprehensive Plan. Also, to ensure consistency between any adopted Sarasota-Manatee Airport Authority Airport Master Plan and the MPO’s plans.

Policy: 5.14.1.2 Ensure that airport expansion or siting plans are coordinated with the Continuing Florida Aviation System Planning Process.

Implementation Mechanism:

a) Participation of Manatee County government officials as representatives on metropolitan and regional steering committees of the Southwest
Florida Region Aviation System Plan. Monitoring of steering committee activities by the Manatee County Building and Development Services.

Policy: 5.14.1.3 Require the provision of concurrent improvements to the roadway and mass transit system serving the airport with the development of any new or expanded airport facility, so as to meet adopted roadway and transit level of service standards contained in this Transportation Element (Table 5-1 and Objective 5.5.1) and ensure continued development of intermodal transportation facilities.

Implementation Mechanism(s):

a) Manatee County Building and Development Services, Public Works, and Community Services Department (Transit Division) review of any proposed development order for any new or expanded airport facility for compliance with this policy.

b) Manatee County Building and Development Services review of the Sarasota-Manatee Metropolitan Planning Organization planning program and long range transportation planning documents, and monitoring of Sarasota-Manatee Airport Authority plans to ensure that the Authority's transportation improvement plans are coordinated with this Transportation Element.

Objective: 5.14.2 Interagency Coordination: Construction and operation of existing and future aviation facilities in close cooperation with the appropriate federal, state, regional and local agencies, and in conformance with other related elements of the Comprehensive Plan.

Policy: 5.14.2.1 Consider all other relevant sections of the Comprehensive Plan in the review of any proposed development order for the expansion and operation of any existing airport, or development of any new airport, including the Land Use, Transportation, Capital Improvements, Public Facilities, and Conservation Elements.

Implementation Mechanism:

a) Manatee County Building and Development Services, Public Works Department, Community Services Department (Transit Division), Natural Resources Department, and Utilities Department review of any proposed development order for any new or expanded airport for compliance with this
"consistency" policy.

Policy: 5.14.2.2 Coordinate with the Continuing Florida Aviation System Planning Process (CFASPP) to ensure that local land use interests are considered and recognized in the CFASPP Plan Process.

Implementation Mechanism:

a) Manatee County Building and Development Services review of any CFASPP documents.

Objective: 5.14.3 Sarasota-Manatee Airport Authority: A Sarasota-Manatee Airport Authority that is responsive to coordination of community development and community aviation needs and concerns.

Policy: 5.14.3.1 Coordinate with the Sarasota-Manatee Airport Authority to ensure that single- or multi-jurisdictional land use and environmental impact issues associated with any airport improvements, or with any new facility siting, shall be equitably and appropriately resolved. Such coordination would include, but not be limited to, aircraft takeoff and flight path issues, redevelopment of noise abatement acquisition parcels, runway usage, property rights protection, and other relevant aspects of airport operation which affect public health, safety and welfare.

Implementation Mechanism:

a) Manatee County Building and Development Services coordination with the Sarasota-Manatee Airport Authority including, but not limited to, review of proposed operation changes, service on airport task forces, monitoring airport plans and activities impacting adjacent land areas, reviewing airport noise abatement efforts, and applicable issues affecting public health, safety and welfare.

Objective: 5.14.4 Future Aviation Facilities: Commercial and General aviation facilities appropriate for meeting future aviation needs in a manner compatible with other existing and future land uses and transportation activities.

Policy: 5.14.4.1 Coordinate with the Sarasota-Manatee Airport Authority to establish additional aviation capacity in a manner that minimizes adverse land use and public facility impacts.

Policy: 5.14.4.2 Maintain a Future Aviation Facilities Map or Maps (Map 5-M), and amend such maps as is necessary to identify future
airport facilities, related surface transportation linkages and related runway protection zones and obstructions. Include any programmed aviation and transportation facilities on such map or maps. The inclusion of a Future Aviation Facilities Map within this Comprehensive Plan and or the Land development code does not imply conceptual approval by Manatee County for any type of local development order for permitting purposes.

Airport Noise LDN Contour Map
Also Located in

www.mymanatee.org
Building and Development Services
Comprehensive Plan
Maps Page (at top)
Comprehensive Plan Maps

ATTACHMENTS:
1. Newspaper Advertising
2. Ordinance 19-06 w/ Exhibits
3. Public Comment Letter