

TAB 6

**CITY OF PALMETTO
ORDINANCE NO. 2010-05**

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, THE CITY OF PALMETTO COMPREHENSIVE PLAN; ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP FOR AN AREA OF APPROXIMATELY 11.2 ACRES AT THE INTERSECTION OF 23RD STREET WEST AND THE FUTURE EXTENSION OF 10TH AVENUE WEST FROM PLANNED DEVELOPMENT (PD) TO GENERAL COMMERCIAL (GMOC); ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP FOR AN AREA OF APPROXIMATELY 2.1 ACRES AT THE INTERSECTION OF 17TH STREET WEST AND THE FUTURE EXTENSION OF 10TH AVENUE WEST FROM PUBLIC FACILITY (PF) TO GENERAL COMMERCIAL (GCOM); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and

WHEREAS, Chapter 166, Florida Statutes, the “Municipal Home Rule Powers Act,” implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and

WHEREAS, the City wishes to amend the Future Land Use Map of the Comprehensive Plan for various properties in anticipation of the relocation of 23rd Street and the future extension of 10th Avenue West; and

WHEREAS, the City's Local Planning Agency, the Planning and Zoning Board, held public hearings on April 15, 2010 regarding Ordinance 2010-05 and the Future Land Use Map amendment proposed in the ordinance; and

WHEREAS, on April 15, 2010, the Planning and Zoning Board recommended _____ of Ordinance 2010-05; and

WHEREAS, on April 19, 2010, the City Commission held a public hearing regarding Ordinance 2010-05 and approved the ordinance for transmittal to the Department of Community Affairs; and

WHEREAS, on ____, the City received the Department of Community Affairs' Objections, Recommendations and Comments report regarding the proposed Comprehensive Plan amendments and has reviewed and considered the report; and

WHEREAS, on ____, the City Commission held a public hearing to consider adoption of Ordinance 2010-05.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Future Land Use Map Amendment. A portion of the Future Land Use Map of the Comprehensive Plan is hereby amended as shown on Exhibit "A" attached hereto and incorporated herein by reference hereto for the property described in Exhibits "B" and "C" attached hereto and incorporated herein by reference. No other changes to the Comprehensive Plan are being made with this Amendment.

Section 2. Repeal of Ordinance. This Ordinance hereby repeals and replaces any and all provisions of ordinances in conflict herewith to the extent of such conflict.

Section 3. Severability. If any section, sub-section, paragraph, sentence, clause or phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

Section 4. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14, upon execution by the Mayor or, if disapproval occurs, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes and as provided in Section 163.3189, Florida Statutes.

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| FIRST PUBLICATION DATE | March 29, 2010 |
| FIRST READING AND PUBLIC HEARING | April 19, 2010 |
| SECOND PUBLICATION DATE | _____, 2010 |
| SECOND READING AND PUBLIC HEARING | _____, 2010 |

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this ___ day of _____, 2010

CITY OF PALMETTO, FLORIDA,
BY AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

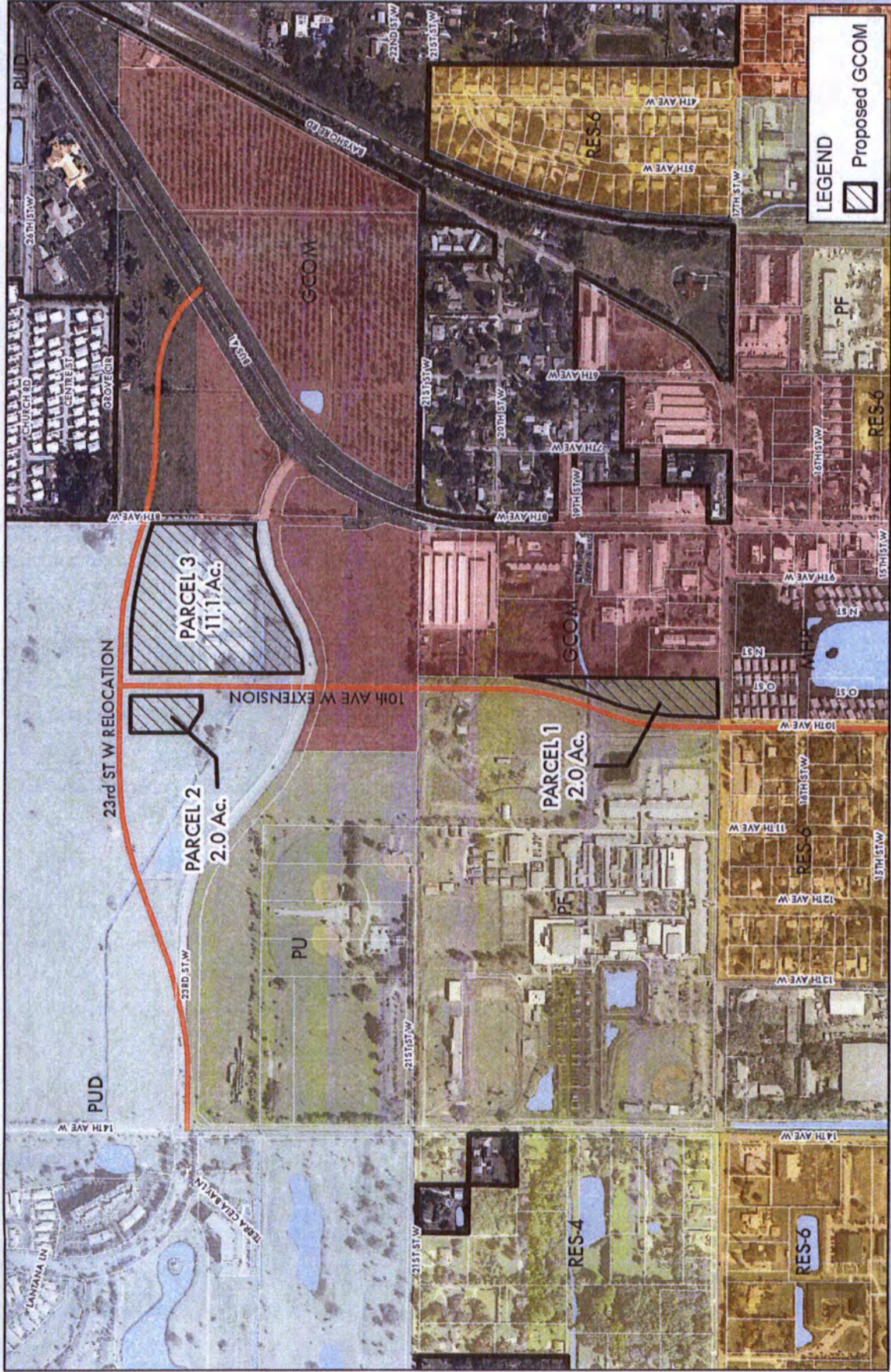
By: _____
SHIRLEY GROOVER BRYANT,
MAYOR

ATTEST: James R. Freeman
City Clerk

By: _____
City Clerk/Deputy Clerk

OLD-2010-01

PROPOSED LAND USE AMENDMENT



THIS MAP IS PROVIDED FOR GRAPHICAL REPRESENTATION AND GENERAL REFERENCE ONLY. THE DATA CONTAINED HEREIN IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

CITY OF PALMETTO

SCALE: 1"=600'
SOURCE: MANATEE COUNTY

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