

TAB 9

**City of Palmetto  
Comprehensive Plan  
Future Land Use Map Amendment  
Staff Report**

**Background**

As a part of the process to relocate 23<sup>rd</sup> Street West, in order to accommodate the ball field expansion that resulted from the relocation of Palmetto Elementary School, the City has recognized the need to adjust the Future Land Use Map (FLUM) in order to accommodate the relocated collector.

The attached Map (Proposed Land Use Amendment) illustrates the recommended revisions to the Future Land Use Map (FLUM) that accommodate the relocated streets and provide appropriate Future Land uses. As the map illustrates, there are five parcels included in this Amendment.

Parcel 1 is a 2-acre sliver of land located along the east right-of-way of the proposed extension of 10<sup>th</sup> Avenue West, north of 17<sup>th</sup> Street West. The existing Future Land Use designation is currently PF, since the parcel is owned by the Manatee County School Board. The Amendment would change the land use category to GCOM, which will make it consistent with the adjacent GCOM designated area to the east.

Parcel 2 is a 2-acre parcel located at the intersection of the proposed 23<sup>rd</sup> Street West relocation and 10<sup>th</sup> Avenue West extension in the southwest quadrant of the intersection. Since the parcel is located at the intersection of two functionally classified roadways, a commercial node at the intersection appears to be an appropriate Land Use designation.

Parcel 3 is an 11-acre parcel located east of the 10<sup>th</sup> Avenue extension between existing 23<sup>rd</sup> Street West and the proposed 23<sup>rd</sup> Street West relocation. The proposed Land Use designation is GCOM, which would be an extension of the existing GCOM designation to the east.

Parcel 4 is a 14.0±-acre parcel located north of US 41 and east of 8<sup>th</sup> Avenue. The proposed Land Use designation is GCOM.

Parcel 5 is a 29±-acre parcel located east of Parcel 4 and east of US 41. The parcel extends east to the SCL railroad right-of-way. The proposed Land Use designation is GCOM as well.

**Conclusion**

These 5 parcels accommodate the revised transportation network in this area and accommodate the additional ball fields and related recreational facilities, including the extension of 10<sup>th</sup> Avenue West and the relocation of 23<sup>rd</sup> Street West. Taken together, they constitute a significant commercial area in the north central part of the City that will be sufficient to supply the needs for future commercial activities in this portion of the City.

**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 2.1 ACRES AT THE INTERSECTION OF 17<sup>TH</sup> STREET WEST AND THE FUTURE EXTENSION OF 10<sup>TH</sup> AVENUE WEST (PARCEL 1) FROM PUBLIC FACILITY (PF) TO GENERAL COMMERCIAL (GCOM); ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP FOR AN AREA OF APPROXIMATELY 14.0 ACRES AT THE INTERSECTION OF 23<sup>RD</sup> STREET WEST AND THE FUTURE EXTENSION OF 10<sup>TH</sup> AVENUE WEST (PARCELS 2, 3 AND THE HALF RIGHTS-OF-WAY FOR 10<sup>TH</sup> AVENUE WEST ADJOINING PARCELS 2 & 3) FROM PLANNED DEVELOPMENT (PD) TO GENERAL COMMERCIAL (GCOM); ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP FOR AN AREA OF APPROXIMATELY 14.0 ACRES LOCATED EAST OF 8<sup>TH</sup> AVENUE WEST, NORTH OF 23<sup>RD</sup> STREET WEST, AND WEST OF BUSINESS U.S. HIGHWAY 41 (PARCEL 4) TO DESIGNATE THE PROPERTY AS GENERAL COMMERCIAL (GCOM); ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP FOR AN AREA OF APPROXIMATELY 29.0 ACRES LOCATED EAST OF BUSINESS U.S. HIGHWAY 41, NORTH OF 21<sup>ST</sup> STREET WEST AND WEST OF BAYSHORE ROAD (PARCEL 5) TO DESIGNATE THE PROPERTY AS 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 was required to process certain Future Land Use Map amendments (“Map Amendments”) pursuant to a 1998 Agreement between Manatee Fruit Company and the City; and

**WHEREAS**, there is uncertainty about whether a portion of said Map Amendments was processed by the City; 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 23<sup>rd</sup> Street West and the future extension of 10<sup>th</sup> Avenue West; and

**WHEREAS**, the City’s Local Planning Agency, the Planning and Zoning Board, held public hearings on April 15, 2010 and May 10, 2010 regarding Ordinance 2010-05 and the Future Land Use Map amendment proposed in the ordinance; and

**WHEREAS**, on May 10, 2010, the Planning and Zoning Board recommended approval of Ordinance 2010-05; and

**WHEREAS**, on April 19, 2010 the City Commission held a public hearing and continued said public hearing to May 17, 2010 regarding Ordinance 2010-05 and approved the ordinance for transmittal to the Department of Community Affairs; and

**WHEREAS**, the City received the Department of Community Affairs’ Objections, Recommendations and Comments report, dated August 6, 2010, regarding the proposed Comprehensive Plan amendments and has reviewed and considered the report; and

**WHEREAS**, on October 18, 2010 the City Commission held a public hearing to consider adoption of Ordinance 2010-05; and

**WHEREAS**, the City Commission determines that such Comprehensive Plan Amendments are consistent with Part II of Chapter 163, Florida Statutes, and provides for the health, safety and welfare of the residents of the City of Palmetto.

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

**Section 1. Adoption of Future Lane 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” 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.

<b>FIRST PUBLICATION DATES</b>	<b>March 29, 2010 and April 24, 2010</b>
<b>PUBLIC HEARING (TRANSMITTAL)</b>	<b>April 19, 2010 continued to May 17, 2010</b>
<b>SECOND PUBLICATION DATE</b>	<b>October 1, 2010</b>
<b>PUBLIC HEARING (ADOPTION)</b>	<b>October 18, 2010</b>

**PASSED AND DULY ADOPTED**, by the City Commission, in open session,  
with a quorum present and voting, this 18th day of October, 2010

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

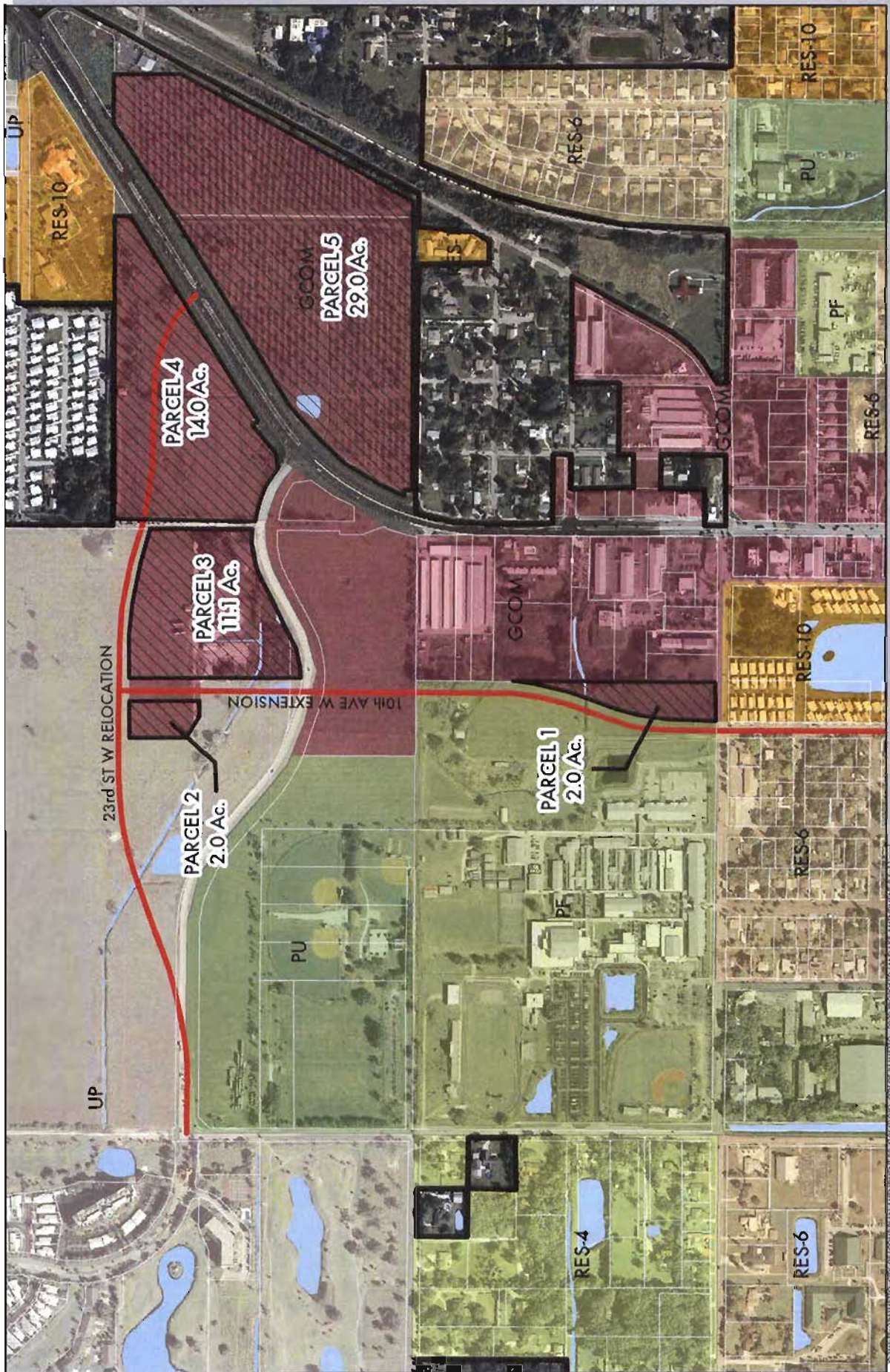
By: \_\_\_\_\_  
SHIRLEY GROOVER BRYANT,  
MAYOR

ATTEST: James R. Freeman  
City Clerk

By: \_\_\_\_\_  
City Clerk/Deputy Clerk



# PROPOSED LAND USE AMENDMENT - 2030



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

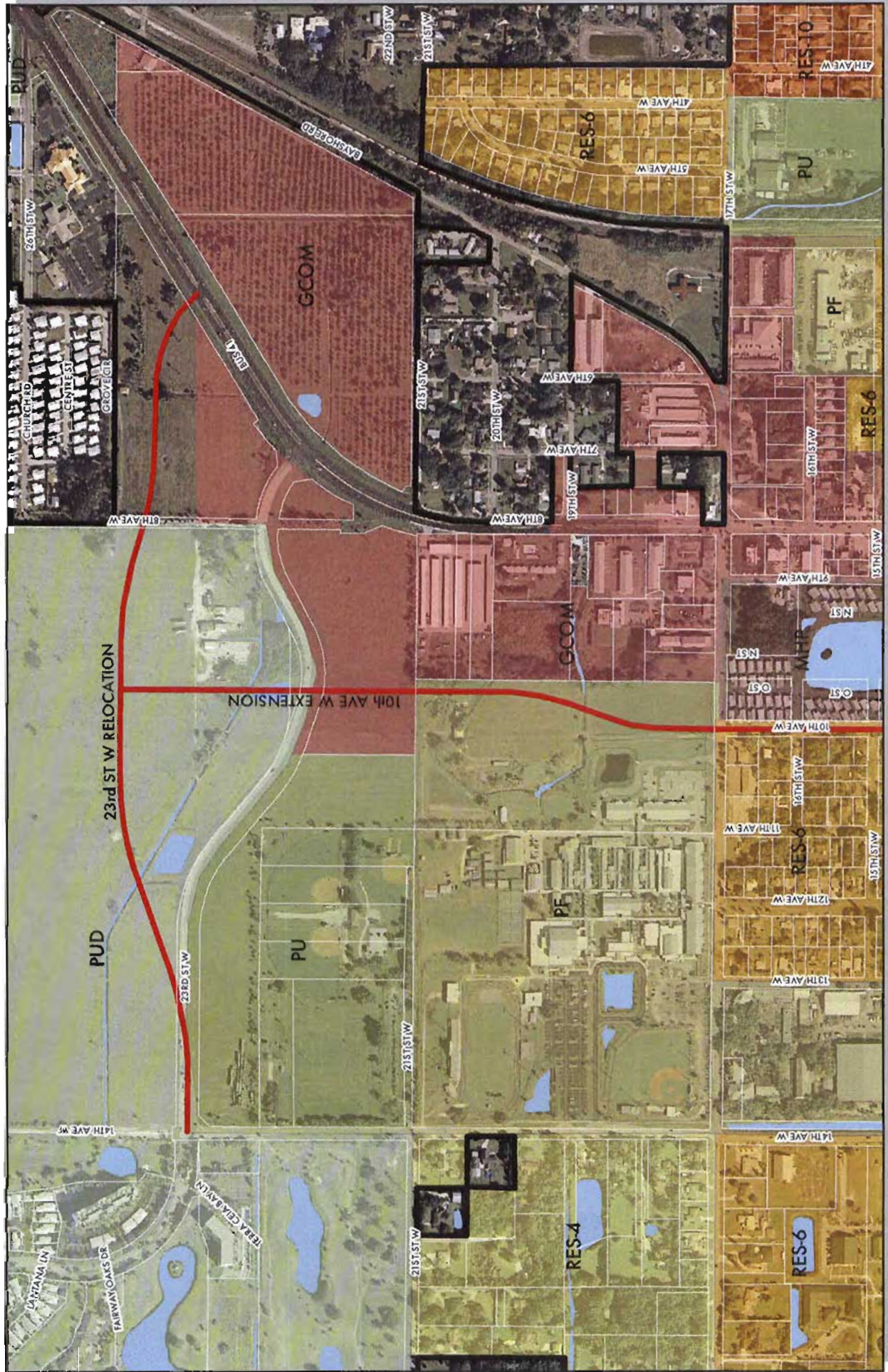
CITY OF PALMETTO

SCALE: 1"=600'  
SOURCE: MANATEE COUNTY

**ZNS ENGINEERING**  
 201 30th AVE DR EAST, BRANDON, FL 34608  
 TELEPHONE 941 748-8000 FAX 941 748-3316



# FUTURE LAND USE - 2010



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## CITY OF PALMETTO

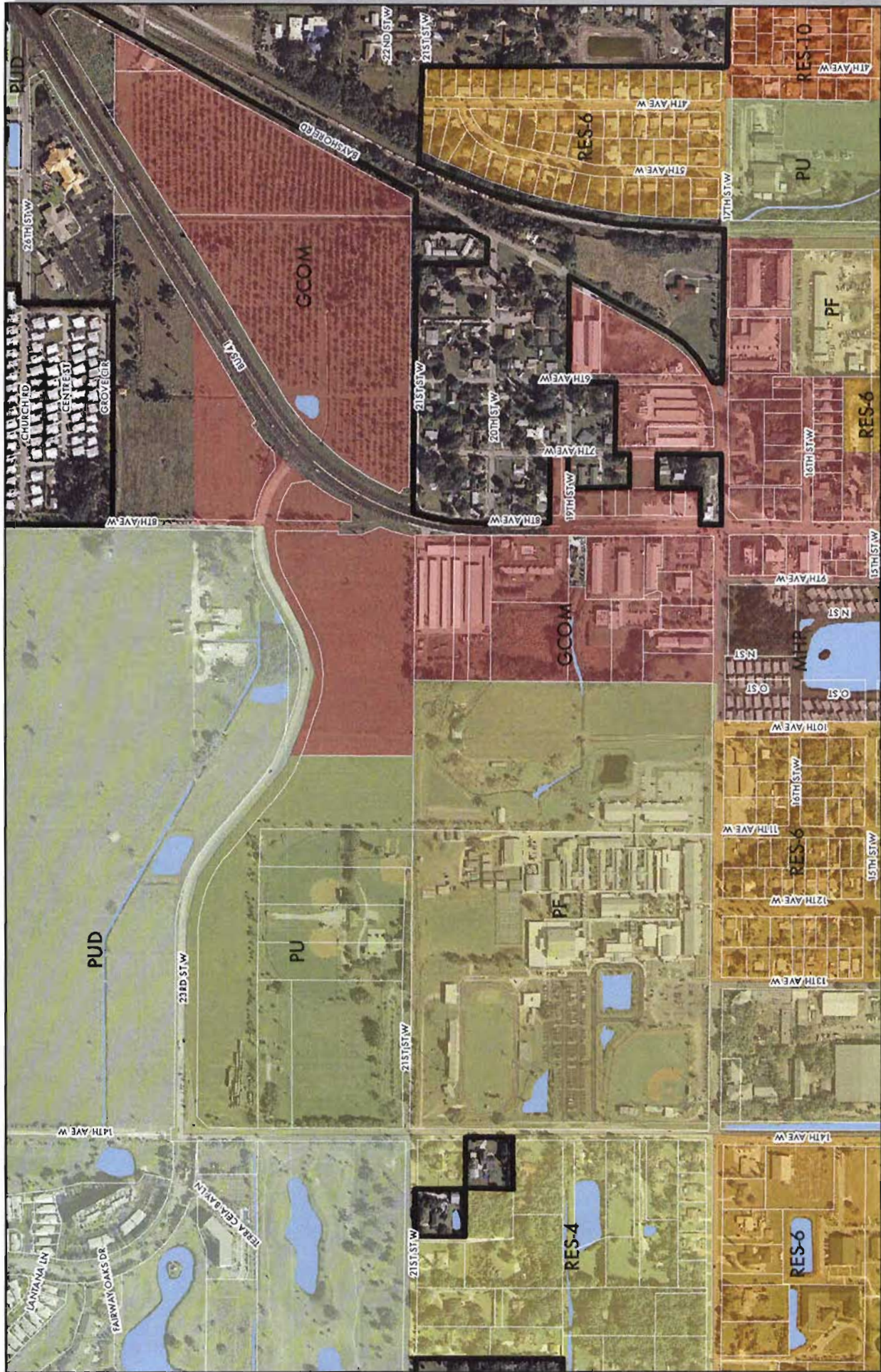
SCALE 1"=400'  
SOURCE: MANATEE COUNTY



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# FUTURE LAND USE - 2010



## CITY OF PALMETTO

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SCALE: 1"=400'  
SOURCE: MANATEE COUNTY

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