

TAB 9

**CITY OF PALMETTO
ORDINANCE NO. 2011-22**

**AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA,
APPROVING A SMALL SCALE AMENDMENT TO THE FUTURE
LAND USE MAP OF THE CITY OF PALMETTO
COMPREHENSIVE PLAN BY REDESIGNATING
APPROXIMATELY 4.3 ACRES OF PROPERTY GENERALLY
LOCATED AT 2007 21ST STREET WEST, FROM RESIDENTIAL-3
(COUNTY) TO RESIDENTIAL 4 (CITY); PROVIDING FOR
APPLICABILITY; PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE. (PA-2011-03
Applicants: Pamela Roy, Brian and Heidi Allwood)**

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,” authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and

WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City is authorized to adopt comprehensive plan amendments related to small scale development activities and meeting the requirements provided therein; and

WHEREAS, approximately 4.3 acres generally located at 2007 21st Street West (the “Property”), and owned by Pamela Roy, Brian Allwood and Heidi Allwood, (“Applicants”), has been annexed into the City pursuant to Ordinance 2011-21; and

WHEREAS, the Applicants have filed an application with the City to amend the Future Land Use Map of the Comprehensive Plan to change the designation of the Property from Manatee County Residential-3 to City of Palmetto Residential 4; and

WHEREAS, the City's Local Planning Agency, the Planning and Zoning Board, held a public hearing on August 18, 2011, regarding the proposed amendment to the Future Land Use Map of the City's Comprehensive Plan; and

WHEREAS, on August 18, 2011, the Planning and Zoning Board recommended approval of the proposed amendment to the Future Land Use Map; and

WHEREAS, on October 3, 2011, the City Commission held a public hearing to consider adoption of the proposed amendment to the Future Land Use Map; and

WHEREAS, the City Commission has determined that the proposed amendment is 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 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. No other changes to the Comprehensive Plan are adopted in this Ordinance.

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 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.

First Reading:	September 12, 2011
Publication:	September 19, 2011 and September 26, 2011
Second Reading and Public Hearing	October 3, 2011 continued to November 7, 2011, November 21, 2011

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this 21st day of November, 2011.

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

FUTURE LAND USE PLAN MAP EXHIBIT A

