

CITY OF PALMETTO
ORDINANCE NO. 2018-29

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE TEXT OF THE COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3191, *FLORIDA STATUTES*, AS PART OF THE REQUIRED EVALUATION AND APPRAISAL PROCESS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, as revised in 1968, provides for and establishes municipalities, and grants to those municipalities, governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, render municipal services, and authorizes said municipalities to exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, Chapter 166, *Florida Statutes*, The Municipal Home Rule Powers Act, implements by general law, the authority and jurisdiction granted to municipalities by the Florida Constitution and establishes home rule for said municipalities; and

WHEREAS, Chapter 163, *Florida Statutes*, Part II, Local Government Comprehensive Growth Policy, County and Municipal Planning, and Land Development Regulation requires, authorizes and empowers municipalities to prepare, adopt, and amend the Comprehensive Plan for the municipality; and

WHEREAS, the City is required to evaluate and appraise its Comprehensive Plan every seven years in order to update its Goals, Objectives and policies consistent with changes to Florida Statutes; and

WHEREAS, public hearings to consider the proposed EAR were held by the Local Planning Agency on September 20, 2018 and by the Palmetto City Commission on October 1,

2018, and the EAR was formally transmitted to the Department of Economic Opportunity (DEO) on October 5, 2018 for formal review; and

WHEREAS, the City received the Objections, Recommendations, and Comments (ORC) Report from the DEO on December 14, 2018;

WHEREAS, based on the comments and recommendations set forth in that Report, the Commission has amended this Ordinance to be consistent with and meet the requirements of the recommendations submitted by DEO and recommends adoption of the amendments; and

WHEREAS, a public hearing to consider the proposed amendments to the EAR were held by the Palmetto City Commission on February 25, 2019, and the Ordinance was adoption with the amendments recommended by the DEO.

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

SECTION 1.

1. The recitals set forth above are true and correct and are hereby adopted by the Commission; and
2. Textual amendments to the *2030 Palmetto Comprehensive Plan* as set forth in Exhibit "A" attached hereto are hereby adopted including recommendations set forth in the December 14, 2018 ORC Report from DEO.

SECTION 2. Repeal of Ordinances in Conflict. This Ordinance hereby repeals and replaces any Ordinances in 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 upon the later of the following events occurring:

(a) Upon execution of the Mayor, or if the Mayor does not execute the Ordinance, upon reconsideration by the City Commission and the passing of the Ordinance by at least four (4) votes of the members of the City Commission, and

(b) One of the following:

(1) If the Ordinance is not timely challenged, thirty-one (31) days after the State Land Planning Agency (FDEO) notifies the local government that the plan amendment package is complete.


(2) If the Ordinance is timely challenged, on the date the State Land Planning Agency (FDEO) or the Administration Commission enters a final order determining this adopted amendment to be in compliance.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this 25th day of February, 2019.

First Reading: August 27, 2019
Publication: September 5, 2018
Publication: February 14, 2019
Second Reading and
Public Hearings: October 1, 2018
February 25, 2019

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

BRADENTON HERALD

Bradenton.com

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
662900	0004067362	NOTICE OF HEARING CITY OF PALMETTO NO		\$105.30	1	9.00 In

Attention:

CITY PALMETTO
PO BOX 1209
PALMETTO, FL 34220

**NOTICE OF HEARING CITY OF
PALMETTO
NOTICE OF COMPREHENSIVE
PLAN TEXT AMENDMENTS**

**HEARINGS MAY BE
CONTINUED FROM
TIME TO TIME**

The City of Palmetto is updating the text of its Comprehensive Plan to reflect changes in Florida Statutes as they relate to Community Planning. This is known as the Evaluation and Appraisal Process.

The City of Palmetto City Commission will hold a Public Hearing on Monday, February 25, 2019 at 7:00 pm. The meeting will be held in the Palmetto City Hall Chambers, 516 8th Avenue West, Palmetto, FL, to consider final adoption of the amendments to the Comprehensive Plan pursuant to Section 163.3184, Florida Statutes. The amendments will be contained in and noticed as the following agenda item:

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The Public Hearing may be continued until final action is taken. All interested persons are invited to appear and be heard. Written comments filed at City Hall will be heard and considered.

If any person desires to appeal any decision of the City Commission or any other Board of the City, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

The City of Palmetto does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or handicapped status in employment or in the provision of services. Handicapped individuals may receive special accommo-

The City of Palmetto does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or handicapped status in employment or in the provision of services. Handicapped individuals may receive special accommodation in services on 48 hours' notice (Fla. Stat. 286.26). Any one requiring reasonable accommodation for this meeting, as provided for in the American with Disabilities Act, should contact the City Clerk at 941-723-4570, FAX 941-723-4576 or email lfreeman@palmettofl.org or ALaRowe@palmettofl.org. Contact Development Services Director, Karla S. Owens at 723-4580 or email @k Owens@palm ettofl.org for information. 2/14/2019

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**THE STATE OF FLORIDA
COUNTY OF MANATEE**

Before the undersigned authority personally appeared CHRISTY HABONY, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Public Notice, was published in said newspaper in the issue(s) of:

1 Insertion(s)

Published On:

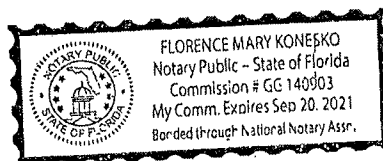
February 14, 2019

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for

Christy Habony

(Signature of Affiant)

Sown to and subscribed before me this 14th day of February in the year of 2019



[Signature]
SEAL & Notary Public

may receive special accommodation in services on 48 hours' notice (Fla. Stat. 286.26). Anyone requiring reasonable accommodation for this meeting, as provided for in the American with Disabilities Act, should contact the City Clerk at 941-723-4570, FAX 941-723-4576 or email jfreeman@palmelf.org or ALafrowe@palmelf.org. Contact Development Services Director, Karla S. Owens at 723-4580 or email @ kowens@palmelf.org for information.
2/14/2019