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DEPARTMENTAL CORRESPONDENCE

TO: James R. O'Connor
City Manager

FROM: Timothy J. McGarry, AICP 
Director of Planning and Development

DATE: November 20, 2015

SUBJECT: **First Reading of a Draft Transmittal Resolution and Ordinance to Amend the Future Land Use Map of the Comprehensive Plan from CV, Conservation, to I, Industrial Requested by the Planning Development Director for Property Located at 4401 41st Street, Containing 10.53 Acres, More or Less**

The Planning and Development Department staff requests that the attached draft Transmittal Resolution and draft Ordinance to amend the Future Land Use Map of the Comprehensive Plan be placed on the City Council's December 1, 2015, meeting agenda for First Reading. The First Reading will be for both the draft Transmittal Resolution and draft Ordinance.

This change is primarily a housekeeping measure to correct an incorrect designation of this property for conservation. The property is used by the City Police Department and other law enforcement agencies as a pistol range.

As the requested change in the Future Land Use Map involves more than 10 acres, it must go through the large scale comprehensive amendment process pursuant to Chapter 163, Florida Statutes. This process requires the holding of a Transmittal Public Hearing to submit the draft ordinance to the Florida Department of Economic Opportunity for its review prior to adoption of the ordinance by the local government. Once the draft Ordinance is reviewed by the State, a public hearing will be scheduled for its adoption by the City Council.

At a public hearing on November 19, 2015, the Planning and Zoning Board unanimously recommended approval of the proposed amendment to the Future Land Use map. A copy of the staff report to the Planning and Zoning Board is attached.

TJM/tf
Attachments

RESOLUTION NO. 2016 – ____

A RESOLUTION OF THE CITY COUNCIL OF VERO BEACH, FLORIDA, APPROVING THE TRANSMITTAL TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY OF A PROPOSED ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE VERO BEACH COMPREHENSIVE PLAN; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the City of Vero Beach Comprehensive Plan on July 21, 1992; and

WHEREAS, the Planning and Zoning Board, acting as the Local Planning Agency, held a public hearing on the future land use map amendment to the comprehensive plan requested by City Planning and Development Department on November 19, 2015, after due public notice; and

WHEREAS, the Planning and Zoning Board made a recommendation of approval to the City Council; and

WHEREAS, the Vero Beach City Council held a transmittal public hearing on _____, 2016, after advertising pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the City Council announced at the transmittal public hearing the intention to hold and advertise a final public hearing at the adoption stage of the plan amendment process,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:

Section 1. Comprehensive Plan Amendment (Transmittal Phase)

The following proposed ordinance amending the Future Land Use Map of the Vero Beach Comprehensive Plan, attached as Exhibit 1, is approved for transmittal by the Planning and Development Director of the city of Vero Beach, Florida, to the Florida Department of Economic Opportunity for review.

Section 2 - Conflict and Severability.

In the event any provision of this resolution conflicts with any provision of the Code or any other ordinance or resolution of the City of Vero Beach on the subject matter of this resolution, the more strict provision shall apply and supersede. If any provision of this resolution is held to be invalid, unconstitutional, or unenforceable for any reason by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this resolution, which shall be deemed separate, distinct, and independent provisions enforceable to the fullest extent possible.

Section 3. Effective Date.

This Resolution shall be effective upon adoption.

This Resolution was read for the first time on the ____ day of _____, 2015, and was advertised in the Press Journal on the ____ day of _____, 2015, as being scheduled for a public hearing to be held on the ____ day of _____, 2016, at the conclusion of which hearing it was moved for adoption by Councilmember _____, seconded by Councilmember _____, and adopted by the following vote:

Mayor Jay Kramer
Vice Mayor Randolph B. Old
Councilmember Pilar E. Turner
Councilmember Richard G. Winger
Councilmember Harry Howle III

Yes No
 Yes No
 Yes No
 Yes No
 Yes No

ATTEST:

**CITY OF VERO BEACH,
FLORIDA**

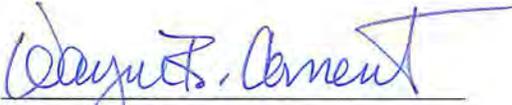
Tammy K. Vock
City Clerk

Jay Kramer
Mayor

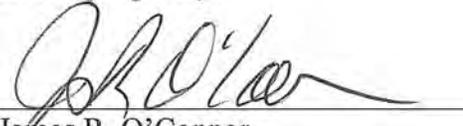


Approved as to form and legal sufficiency:

Approved as conforming to
municipal policy:

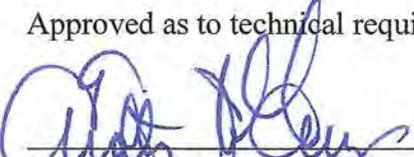


Wayne Coment
City Attorney



James R. O'Connor
City Manager

Approved as to technical requirements:



Timothy J. McGarry, AICP
Planning and Development Director