

PROPOSED
ORDINANCE NO. 45-07

ORDINANCE NO. 49-07

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN
AND FUTURE LAND USE MAP OF THE CITY OF
PENSACOLA, FLORIDA; REPEALING CLAUSE;
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, the City Council desires to effect an amendment to a portion of the Future Land Use element of the Comprehensive Plan; and

WHEREAS, said amendment is consistent with the other portions of the Future Land Use Element and all other applicable elements of the Comprehensive Plan, as amended; and

WHEREAS, said amendment will affirmatively contribute to the health, safety and general welfare of the citizens of the City of Pensacola; and

WHEREAS, the City Council has followed all of the procedures set forth in §§163.3184 and 163.3187, Fla. Stat., and all other applicable provisions of law and local procedures with relation to amendment to the Future Land Use Element of the Comprehensive Plan; and

WHEREAS, proper public notice was provided and appropriate public hearing was held pursuant to the provisions referred to hereinabove as to the following amendment to the Comprehensive Plan and Future Land Use map of the City of Pensacola; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Comprehensive Plan and Future Land Use Map of the City of Pensacola, and all notations, references and information shown thereon as it relates to the following described real property in the City of Pensacola, Florida, to-wit:

LOTS 3, 4, 5 AND THE WEST 90 FEET OF LOT 26, BLOCK 201 OF T. MAXENT TRACT, AS PER THE MAP OF THE CITY OF PENSACOLA, COPYRIGHTED BY THOM C. WATSON IN 1906.

AND;

THE WEST 90 FEET OF LOT 11, ALL OF LOTS 12 THROUGH 25 INCLUSIVE, THE EAST 60 FEET OF LOT 26, BLOCK 201, MAXENT TRACT, ACCORDING TO THE MAP SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906; TOGETHER WITH THAT PORTION OF THE WEST 25 FEET OF "H" STREET WHICH ADJOINS LOTS 23 TO 26, AND WHICH ADJOINS THE NORTH 30 FEET OF HILLIARD STREET; AND THAT PORTION OF THE NORTH 30 FEET OF HILLIARD STREET WHICH ADJOINS LOTS 14 TO 23 INCLUSIVE, AND WHICH ADJOINS THE WEST 25 FEET OF "H" STREET.

AND;

LOTS 6 AND 7 AND THE EAST 60 FEET OF LOT 11, BLOCK 201, MAXENT TRACT IN THE City of Pensacola, COUNTY OF ESCAMBIA, FLORIDA.

AND;

LOTS 1 AND 2, BLOCK 201 AND THE ADJOINING WEST ONE-HALF OF VACATED "H" STREET, ORDINANCES NO. 24-40 AND 23-37.

is hereby amended from the present classification of MDR (Medium Density Residential) land use to a future land use classification of HDR (High Density Residential) land use.

SECTION 2. The City Council shall by subsequently adopted ordinance change the zoning classification and zoning map for the subject property to a permissible zoning classification, as determined by the discretion of the City Council, which is consistent with the future land use classification adopted by this ordinance. Pending the adoption of such a rezoning ordinance, no development of the subject property shall be permitted which is inconsistent with the future land use classification adopted by this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. The effective date of this small scale development plan amendment shall be 31 days after final passage (adoption), unless the amendment is challenged pursuant to Section 163.3187(3), Fla.Stat. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Community Affairs, or the Administration Commission, finding the amendment in compliance as defined in Section 163.3184, Fla.Stat. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has

become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

Passed: September 27, 2007

Approved: _____
Mayor

Attest:

Charles L. Burnett
City Clerk

Legal in form and valid if
enacted:

[Signature]
City Attorney