



## Legislation Details (With Text)

**File #:** 120219. **Version:** 0 **Name:** Waive the Time Limitation for a Plan Board Petition (B)  
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| 8/16/2012 | 0    | City Commission | Approved as Recommended | Pass   |

### Waive the Time Limitation for a Plan Board Petition (B)

On November 3, 2011, the City Commission adopted Ordinance 100698 on second reading. This ordinance included the land use changes on individual properties in the Urban Village area, and it specifically included Tax Parcel 06724-000-000 (a location map is included as backup). A split land use category of Conservation and Urban Mixed Use-2 was placed on Tax Parcel 06724-000-000 based on the location of the 10-year flood channel on the northern portion of the property as understood at that time using the Master Flood Control Maps. The 10-year flood channel information has been updated by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM). Ordinance 110698, which was adopted on 7/19/12, now directs staff to use the best available data to determine flood information, and the FEMA FIRM meets that requirement. A review of Tax Parcel 06724-000-000 indicates that the 10-year flood channel now is located further north than originally was determined using the older Master Flood Control Maps. Approximately 2.8 additional developable acres exist on the site when using the FEMA FIRM flood channel data. Planning and Development Services would like to correct the Conservation area land use designation line to reflect the developable area on the parcel. This will require a Plan Board petition.

Land Development Code Section 30-347.7 (b) states that, "Whenever the City Commission has changed the zoning or land use of property by an ordinance amendment, the Plan Board shall not consider any petition for rezoning of any part of the same property for a period of 12 months from the date of the action." However, Section 30-347.7 (c) allows the City Commission to waive the above time limitation by the affirmative vote of five commissioners.

In order to timely process the required land use amendment petition to reduce the Conservation area designation on Tax Parcel 06724-000-000, Planning and Development Services Department staff is requesting that the City Commission waive the twelve-month time period and authorize staff to initiate the Plan Board petition.

None.

Staff to City Commission: Authorize Planning and Development Services Department staff to initiate a new Plan Board land use amendment petition for Tax Parcel 06724-000-000, and waive the twelve-month time limitation for the Plan Board to consider the petition.