

ARTICLE X - CORRIDOR MAP

Section 1001: Corridor Map Adoption.

A "Trail Parks" map is hereby adopted and made a part of this Ordinance. Prior to adoption of the corridor map, the following actions have been taken to ensure procedural due process:

1. At least fifteen (15) days before the public hearing, the City Commission notified the public of the date, time, place, and nature of a public hearing on this ordinance by publication in a newspaper of general circulation in the territory of the local government.
2. The City Commission held the public hearing at the date, time, and place advertised, and afforded all interested individuals with the opportunity to be heard concerning the proposed corridor map.

Section 1002: General Provisions.

The City shall not issue a development permit, building permit, or any other permit for development except pursuant to the procedure and in compliance with this Article. This Article does not forbid or restrict the use of any reserved land that does not constitute the development of that land, nor does this Article forbid or restrict development on the unreserved portion of any reserved land.

Section 1003: Authorization Required to Develop Reserved Land.

An owner of land shown on the corridor map for future public use who proposes to develop such reserved land shall apply to the Administrative Officer for the appropriate permit. It shall be unlawful to carry out development upon land shown as reserved or for public use on the corridor map, without securing the appropriate approval as required by this Ordinance.

Section 1004: Public Hearing and Notice.

Upon receiving an application for a permit involving shown on the corridor map, the Administrative Officer shall arrange for the application to be scheduled for public hearing before the City Commission. The applicant shall be notified in writing of the date, time, and place of the hearing within five business days of receipt of the application, by written mail, personal service, or facsimile, at least fifteen (15) days prior to the public hearing. The public shall be given notice by publication in a newspaper of general circulation in the territory of the local government at least fifteen (15) days prior to the public hearing of the date, time, place, and nature of the hearing. The applicant shall, at the hearing, have an opportunity, personally or through counsel, to present evidence and argument in support of his or her application, as shall others with an interest in the application.

Section 1005: Action.

Following the public hearing, the City Commission may take one of the following actions:

1. Approve the request as proposed, with or without conditions.
2. Modify the mapped corridor to remove all or part of the reserved land from the mapped corridor, and issue with or without conditions the permit authorizing development on the land removed from the mapped corridor.
3. Modify the proposed application and issue it for development as modified, with or without conditions, if the development can reasonably be accomplished on the subject parcel without encroaching on the reserved land.
4. Delay action on the permit for a defined period of time not to exceed six (6) months for the purpose of any of the following:
 - a. Negotiating with the property owner for the purchase of all or a part of the reserved land by the governmental agency responsible for the transportation facilities.
 - b. Acquiring the reserved land voluntarily.
 - c. Acquiring a negative easement over the reserved land that prevents the property owner from building on the reserved land.
 - d. Taking the reserved land through eminent domain.

Section 1006: Authority to Acquire for Reserved Land for Public Use.

After delaying action on the permit by the city, the City Commission may, but shall not be obligated to, negotiate for the voluntary dedication of the land, enter into option, or it may initiate condemnation proceedings subject to applicable state law and use its powers of eminent domain.

Section 1007: Final Action on Permit.

If the City Commission fails to arrange for the legal acquisition of all or a part of the land shown for public use on the corridor map within the specified time period which shall not exceed six (6) months, then the city shall approve the permit, with or without conditions, or in the absence of such approval the permit shall be deemed approved as submitted.

Section 1008: Corridor Map

See attached map.

End Article X